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JOURNAL

OF THE

HOUSE OF DELEGATES

OF THE

STATE OF VIRGINIA,

FOR THE

SESSION OF 1887-'88.

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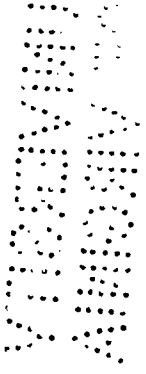

HOUSE JOURNAL.

WEDNESDAY, DECEMBER 7, 1887.

The House of Delegates was called to order at 12 o'clock M. by J. Bell Bigger, clerk thereof.

Prayer by Rev. Dr. Moses D. Hoge, of the Presbyterian church.

The following communication was received from the secretary of the Commonwealth:

COMMONWEALTH OF VIRGINIA,
OFFICE OF SECRETARY OF THE COMMONWEALTH,
RICHMOND, VA., *December 7, 1887.*

To the honorable, the Clerk of the House of Delegates:

SIR,—The accompanying paper gives a list of members-elect of the House of Delegates whose term of service begins to-day. It is submitted in obedience to law.

H. W. FLOURNOY,
Secretary of Commonwealth.

Accomac—Augustus D. F. Ewell.
Albemarle—Walter D. Dabney, John S. Harris.
Alexandria city and county—Lawrence W. Corbett.
Alleghany, Bath and Highland—A. M. McClintic.
Amherst—William G. Loving.
Appomattox—Henry D. Flood.
Augusta and city of Staunton—Edward Echols, John H. Crawford.
Bedford—Thomas S. West, B. W. Arnold.
Botetourt—J. H. H. Figgatt.
Brunswick—W. F. Jones.
Buchanan, Wise and Dickenson—Richard L. Counts.
Buckingham—Robert H. Spencer.
Campbell and city of Lynchburg—J. J. Terrell, R. Palmer Hunter.
Caroline—Gibbons Allensworth.
Carroll—Peter Quesenberry.
Charlotte—Robert Catlett.
Chesterfield and Powhatan—I. V. Herring, Joseph Hobson.
Clarke and Warren—A. Moore, Jr.
Craig and Roanoke—Giles C. Huffman.
Culpeper—James Barbour.
Cumberland and Buckingham—Cæsar Perkins.

Dinwiddie—A. W. Harris.
Elizabeth City, Warwick, James City and York—J. H. Robinson.
Essex—H. W. Daingerfield.
Fairfax—Robert I. Simpson.
Fauquier—Julius A. Pilcher.
Floyd—S. H. McNiel.
Fluvanna—D. W. Anderson.
Franklin—Edward W. Saunders.
Frederick county and Winchester—John M. Silver.
Gloucester—Warner P. Roane.
Goochland—P. W. Scott.
Grayson—John M. Dickey.
Greene and Madison—James Hay.
Greenesville and Sussex—B. F. Jarratt.
Halifax—L. C. Watkins, John C. Baldwin.
Hanover—R. H. Cardwell.
Henrico—Edmund Waddill, Jr.
Henry—A. L. Pedigo.
Isle of Wight—Jacob A. Johnson.
King and Queen—Henry R. Pollard.
King William—Morgan Treat.
Lancaster and Richmond—E. S. Phillips.
Lee—Harney Young.
Loudoun—John F. Ryan.
Loudoun and Fauquier—John W. Kincheloe.
Louisa—W. C. Elam.
Lunenburg—J. W. Overby.
Mathews and Middlesex—L. C. Bristow.
Mecklenburg—Britton Baskerville, Jr.
Montgomery—David Riner.
Nansemond—John A. Browne.
Nelson—William L. Williams.
New Kent and Charles City—W. N. Tinsley.
Norfolk city—L. D. Starke, W. A. Edwards.
Norfolk county—George A. Martin.
Northampton and Accomac—Southey S. Wilkins.
Northumberland and Westmoreland—R. M. Mayo.
Nottoway and Amelia—W. H. Ash.
Orange—James W. Morton.
Petersburg—Robert McCandlish, Jr., W. W. Evans.
Page—Thomas J. Graves.
Patrick—Edmond Parr.
Pittsylvania, Danville and North Danville—Daniel Coleman, Dryden Wright, S. T. Mustain.
Portsmouth—R. L. Herbert.
Princess Anne—George W. Leggett.
Prince Edward—W. P. Dupuy.
Prince George and Surry—Goodman Brown.
Prince William—Robert H. Tyler.
Pulaski and Giles—J. E. Moore.
Rappahannock—Basil B. Gordon.
Richmond city—A. S. Buford, Henry L. Carter, John A. Curtis, Lyon G. Tyler.
Rockbridge—W. A. Anderson, John T. McKee.
Rockingham—John E. Sanger, J. B. Webb.
Russell—R. L. Smith.
Scott—James B. Craft.
Shenandoah—Philip W. Magruder.
Southampton—James E. Sebrell.
Spotsylvania and Fredericksburg—H. F. Crismond.
Smyth and Bland—E. L. Roberts.
Stafford and King George—T. C. Montague.
Tazewell—William L. Moore.
Washington—John Roberts, S. P. Edmondson.
Wythe—David H. Porter.

The roll was called and the following members answered to their names:

Messrs. G. Allensworth, D. W. Anderson, W. A. Anderson, B. W. Arnold, W. H. Ash, J. C. Baldwin, James Barbour, B. Baskerville, Jr., L. C. Bristow, Goodman Brown, John A. Brown, A. S. Buford, R. H. Cardwell, H. L. Carter, R. Catlett, D. Coleman, L. W. Corbett, R. L. Counts, James B. Craft, J. H. Crawford, H. F. Crismond, John A. Curtis, W. D. Dabney, H. W. Daingerfield, J. M. Dickey, W. P. Dupuy, Edward Echols, S. P. Edmondson, W. A Edwards, W. C. Elam, W. W. Evans, A. D. F. Ewell, J. H. H. Figgat, H. D. Flood, B. B. Gordon, Thos. J. Graves, A. W. Harris, J. S. Harris, James Hay, R. L. Herbert, Joseph Hobson, Giles C. Huffman, B. F. Jarratt, W. F. Jones, J. A. Johnson, J. W. Kincheloe, G. W. Leggett, W. G. Loving, G. A. Martin, P. W. Magruder, R. McCandlish, Jr., A. M. McClintic, J. T. McKee, S. H. McNeil, T. C. Montague, A. Moore, Jr., J. E. Moore, Wm. L. Moore, J. W. Morton, S. T. Mustain, J. W. Overby, E. Parr, A. S. Pedigo, C. Perkins, E. S. Phillips, J. A. Pilcher, H. R. Pollard, D. H. Porter, Peter Quisenberry, David Riner, W. P. Roane, E. L. Roberts, J. Roberts, J. H. Robinson, J. F. Ryan, J. E. Sanger, E. W. Saunders, P. W. Scott, J. E. Sebrell, John M. Silver, H. I. Simpson, R. L. Smith, R. H. Spencer, L. D. Starke, J. J. Terrell, W. N. Tinsley, Morgan Treat, Lyon G. Tyler, R. H. Tyler, E. Waddill, Jr., L. C. Watkins, J. B. Webb, Thos. S. West, S. S. Wilkins, W. L. Williams, D. Wright, Harvey Young—97.

Ninety-seven members present, who were duly qualified by the clerk.

On motion of Mr. HAY, the rules of the last House were adopted for the temporary government of the present House.

The first business in order being the election of a speaker.

Mr. HAY nominated R. H. CARDWELL, of the county of Hanover.

Mr. WEBB nominated E. WADDILL, JR.

The roll was called with the following result:

For R. H. Cardwell,	- - -	59
E. Waddill, Jr.,	- - -	35

The vote was recorded as follows:

For R. H. CARDWELL—Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McCee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—59.

For E. WADDILL, JR.—Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Corbett, Craft, Daingerfield, Elam, Evans, A. W. Harris, Jarratt, Jones, Martin, McCandlish, McClintic, McNeil, Montague, William L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Webb, Young—35.

R. H. CARDWELL having received a majority of the whole number of votes cast, was declared by the clerk duly elected speaker of the House of Delegates.

The clerk requested Messrs. HAY and WEBB to conduct the speaker to the chair.

The next business in order being the election of a clerk, Mr. BUFORD nominated J. Bell Bigger, of the county of Spotsylvania.

W. EVANS nominated P. H. McCaull, of the county of Roanoke.

The vote was recorded as follows:

For J. Bell Bigger,	-	-	-	59
P. H. McCaull,	-	-	-	35

For J. BELL BIGGER—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmonson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—59.

For P. H. MCCAULL—Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Corbett, Craft, Elam, Evans, A. W. Harris, Jarratt, Jones, Martin, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb, Young—35.

J. Bell Bigger having received a majority of the whole number of votes cast, was declared duly elected clerk of the House of Delegates.

Mr. HUFFMAN nominated J. P. Martin, of Craig, for sergeant-at arms.

Mr. WADDILL nominated J. W. Southward, of Henrico.

The vote was recorded as follows:

For J. P. Martin,	-	-	-	58
J. W. Southward,	-	-	-	33

For J. P. MARTIN—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, J. S. Harris, Hay, Herbert, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J, Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, and Wright—58.

For J. W. SOUTHWARD—Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Craft, Daingerfield, Elam, Evans, A. W. Harris, Jarratt, Jones, Martin, McCandlish, McClintic, McNeil, Montague, William L. Moore, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb, and Young—33.

J. P. Martin having received a majority of the whole number of votes cast, was declared duly elected sergeant-at-arms.

Mr. FIGGATT nominated A. O. Sullivan, of Montgomery, for doorkeeper.

Mr. PARR nominated M. D. Ross, of Patrick.

The vote was recorded as follows:

For	A. O. Sullivan, - - -	60
	M. D. Ross, - - -	30

For A. O. SULLIVAN—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Cartlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmonson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Hoffman, Johnson, Kincheloe, Legget, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Pilcher, Pollard, Riner, Roane, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—60.

For M. D. ROSS—Ash, Bristow, Goodman Brown, Corbett, Craft, Daingerfield, Elam, Evans, A. W. Harris, Jarratt, Jones, Martin, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Quesenberry, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, Waddill, Young—30.

A. O. Sullivan having received a majority of the whole number of votes cast, was declared duly elected doorkeeper.

Mr. FLOOD nominated E. T. Kindred, of Appomattox, for doorkeeper.

Mr. HARRIS, of Dinwiddie, nominated G. W. Matthews, of Dinwiddie.

The vote was recorded as follows:

For	E. T. Kindred, - - -	59
	G. W. Matthews, - - -	23

For E. T. KINDRED.—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Hoffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, Roane, E. L. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, Watkins, West, Wilkins, Williams, Wright—59.

For G. W. MATTHEWS.—Messrs. Ash, Baskerville, Bristow, Goodman Brown, Corbett, Daingerfield, Elam, Evans, A. W. Harris, Jarratt, Jones, Martin, McCandlish, Montague, Phillips, Quesenberry, Riner, Robinson, Sanger, Scott, Treat, Waddill, Young—23.

E. T. Kindred having received a majority of the whole number o votes cast was declared duly elected doorkeeper.

On motion of Mr. ECHOLS the rules of the House of Delegates of the last House were adopted for the government of the present House.

RULES.

I.

ORGANIZATION—ELECTIONS.

1. At the elections in the House the voting shall be viva voce, unless otherwise expressly provided; and only one person shall be chosen at a time. If on the first voting no one receives a majority, the person having the smallest number of votes shall not be voted for on the next trial; and so on until some one shall receive a majority of the whole vote. If the election be by joint vote of the two houses, messages shall be exchanged before each voting, announcing the names of the persons in nomination. A committee of three from each house shall compare the votes, and ascertain and report the result.

THE SPEAKER.

2. "The House of Delegates shall choose its own Speaker." The Speaker may call any member to the chair, who shall exercise its functions for the time; but no member by virtue of such appointment shall preside for a longer time than three days. During such substitution the Speaker may participate in the debates. If the Speaker be absent, and have named no one to act in his stead, the duties shall be performed by the chairman of one of the standing committees, taking precedence in the order in which the committees are named in Rule 16.

3. The Speaker shall take the chair every day precisely at the hour to which the House shall have adjourned on the preceding day: shall immediately call the House to order; and a quorum being present, shall cause the Journal of the preceding day to be read. Any mistake in the entries shall, upon motion, then be corrected.

4. The Speaker shall have power to supervise and correct the Journal before it is read. He shall have a general direction of the hall, with power, in case of disturbance or disorderly conduct in such part thereof as may be appropriated to spectators, to have the same cleared. Stenographers and reporters for the press, wishing to take down the proceedings of the House, may be admitted by the Speaker, who shall assign them to such places on the floor as shall not interfere with the convenience of members.

5. All acts, addresses and joint resolutions shall be signed by the Speaker; and all writs and warrants issued by order of the House shall be under his hand and seal, attested by the clerk.

THE CLERK.

6. A clerk shall be elected by the House, and shall be deemed to continue in office until another is chosen. He may employ an assistant clerk, and shall, subject to the approval of the Speaker, appoint the six committee clerks provided for by law. He shall be charged with the whole clerical business of the House and of its committees, and shall see that the committee clerks discharge properly the duties required of them by the several committees to which they are assigned, and that, when not so employed, they render such assistance as may be required to other committees and in the business of the House. The committee clerks may be removed by the clerk, with the approval of the Speaker; and they shall be so removed upon the request of the committees to which they are severally assigned.

7. The clerk shall perform all the duties of his office under the direction of the Speaker. He shall keep a Journal of the proceedings of the House, and shall submit it daily to the Speaker in time to be examined before the next assembling of the House. He shall keep at the clerk's table, during the sittings of the House, a calendar or docket so arranged as to show the condition and progress of the business of the House.

8. He shall keep accounts of the compensation of the members and officers of the House, and shall from time to time certify the same to the auditor. He shall

provide the stationery required for the business of his office and of the House, and for the use of the members during the session; but the amount furnished to each member shall not exceed in value five dollars a session. The claim of the clerk for such supplies, when approved by the committee on House expenses, shall be certified by the Speaker to the auditor. He shall keep detailed accounts of all these transactions in a book to be provided for the purpose, which shall be at all times open to inspection by members of the House.

SERGEANT-AT-ARMS.

9. A sergeant-at arms shall be elected by the House, and shall continue in office during its pleasure. He shall have as his assistants two doorkeepers, who shall be elected by the House, and six pages, to be appointed by the Speaker, who shall receive as compensation one-half the amount provided by law for a doorkeeper.

10. He shall, with his assistants, attend upon the House during its sitting, and shall execute its commands, together with all such process, issued by its authority, as shall be directed to him by the Speaker.

11. He shall, under the direction of the Speaker, have charge of the police of the hall, and shall prevent any interruption of the business of the House by disorder, within or without. He shall distribute among the members all papers printed for their use, and shall give such attendance upon them during the sittings of the House as will promote their comfort and facilitate the business of the House.

12. He shall procure for the members, when required, certificates for pay and mileage, and, at their request and upon their endorsement, shall collect and pay over to those entitled to the money due upon such certificates.

13. He shall attend to receiving and dispatching all mail or telegraphic matter intended for or sent by members, and shall make such arrangements therefor as to promote the convenience of the members.

OATHS OF OFFICERS.

14. The oaths which the officers of the House are required by law to take shall be administered and certified by a justice of the peace or notary public, and be filed with the clerk of the House.

COMMITTEES.

15. All committees shall be appointed by the Speaker, unless otherwise specially directed by the House, in which case they shall be appointed by ballot, and a plurality of votes shall prevail. The first named member of any committee shall be the chairman, and if he be absent, or be excused by the House, the next-named member, and so on, unless the committee elect a chairman.

16. At the beginning of each regular session there shall be appointed standing committees, to consist of not less than nine nor more than thirteen members (except the finance committee, which shall consist of fifteen members), as follows:

1st. Privileges and elections.
2d. Courts of justice.
3d. Schools and colleges.
4th. Propositions and grievances.
5th. Roads and Internal navigation.
6th. Finance.
7th. Claims.
8th. Militia and police.
9th. Asylums and prisons.
10th. Labor and the poor.
11th. Public property.
12th. Banks, currency, and commerce.
13th. Agriculture and mining.
14th. Manufactures and Mechanic arts.
15th. Counties, cities and towns.

16th. Officers and offices at the capitol.
17th. Executive expenditures.
18th. Retrenchment and economy.
19th. Federal relations and resolutions.
20th. Enrolled bills.
21st. Immigration.
22d. Chesapeake and its tributaries.

17. Also a standing committee, to consist of five members, to be called the committee on House expenses. It shall be the duty of this committee to examine from time to time the accounts kept by the clerk with the members and officers of the House, and to decide all questions arising in relation thereto, subject to an appeal to the House. No account for printing, stationery, or any other expenses of the House, shall be certified for payment without the previous approval of this committee.

18. Also a standing committee on rules, to consist of five members, including the Speaker, who shall be chairman of the committee.

19. Also a standing committee on the library, to consist of five members; and one on printing, to consist of three members. These committees, when acting with like committees of the Senate, shall constitute the "library committee" and the "committee on printing" provided for by law; but in all other respects shall act as committees of the House.

20. Any committee of the House may at their discretion confer with a committee of the Senate having under consideration the same subject; but no joint committee shall be appointed. Nor shall any select committee be appointed to consider any subject falling properly within the province of a standing committee.

21. After the minimum number required for any committee has been appointed, the Speaker may, from time to time, at his discretion, fill it up to the maximum allowed by the rules, which shall in no case be exceeded.

22. Five members of any committee, or a majority, if less than five, shall constitute a quorum. Each committee shall appoint its own regular meetings; and it shall be the duty of a committee to meet on a call of any two of its members if the chairman be absent or decline to appoint such meeting; but no committee shall sit during the sitting of the House without special leave.

23. The several standing committees shall not only consider and report upon the matters specially referred to them, but shall, whenever practicable, suggest such legislation as will provide upon general principles for all similar cases. And it shall be the duty of each committee to enquire into the condition and administration of the laws relating to the subjects which they have in charge; to investigate the conduct and look to the responsibility of all public officers and agents concerned, and to suggest such measures as will correct abuses, protect the public interests, and promote the public welfare.

24. Committees shall in all cases report by bill or resolution, in such form that if passed or agreed to, it will carry into effect their recommendations. Every such bill or resolution shall be printed, unless the committee recommend that the same be not printed; but no papers returned therewith shall be printed unless the committee shall so recommend.

COMMITTEE OF THE WHOLE.

25. When the House shall go into the committee of the whole, the Speaker may vacate the chair, and call some member to preside in committee; the other officers shall attend, and the rules of the House shall be observed and enforced in committee as far as applicable, except that the previous question shall not be ordered.

26. If the committee rise before the consideration of the subject referred is concluded, the same shall be reported back, and have its place in order, as unfinished business of the House. When it shall be again reached in order, unless it be otherwise disposed of, the House, after making such orders as it may deem proper in relation to the business before the committee, shall stand again resolved into the committee of the whole, and so on, until the business therein be disposed of.

27. Nothing shall be in order in the committee of the whole, except such matters as may be specially referred to it by the House.

28. Whenever the committee of the whole shall find itself without a quorum, the chairman shall cause the roll to be called, and thereupon the committee shall rise, and the chairman shall report the fact and the names of the absentees, which shall be entered upon the Journal of the House.

29. The motion to go into committee of the whole, and the motion to discharge the committee, shall not be debated.

II.

ATTENDANCE AND ADJOURNMENT.

30. No member shall absent himself from the service of the House unless he have leave, or be sick or unable to attend.

31. Any ten members or more (including the Speaker, if there be one, and he be present) shall be authorized to compel the attendance of absent members, by a call of the House.

32. Upon the roll of the House the names of the members shall, in all cases, be arranged and called in alphabetical order, except that the Speaker shall be called last.

33. Upon a call of the House, the names of the members shall be first called over by the clerk, and the absentees noted; after which the names of the absentees shall be again called over; the doors shall then be shut, and those for whom no excuse, or insufficient excuses are made, may, by order of those present, if ten in number, be taken in custody as they appear, or may be sent for and taken into custody, wherever to be found, by the sergeant-at-arms or his assistants, or by special messengers to be appointed for that purpose.

34. When a member shall be discharged from custody, and admitted to his seat, the House shall determine whether such discharge shall be with or without payment of fees and expenses.

35. Any member or members may adjourn from day to day. A motion to adjourn and a motion to fix the time to which the House will adjourn, shall always be in order, and shall be decided without debate.

III.

INTRODUCTION OF BUSINESS.

36. Messages from the governor, and reports and communications (except petitions and memorials) from any other public officer or agent, may be received at any time; and if, in the judgment of the Speaker, they require immediate action, may be brought at once to the attention of the House—otherwise they shall lie upon the Speaker's table and be disposed of in the morning hour. The same rule shall be observed with regard to messages from the Senate.

37. Members having petitions, memorials, resolutions or bills to present, may, at any time, hand them to the clerk, endorsed with their names and the reference or disposition desired. The clerk shall, under the direction of the Speaker, refer all such papers to the proper committees, and enter the fact, with the names of the members presenting them, upon the Journal.

38. No petition, memorial, bill, joint resolution, proposition to change a rule of the House, or resolution calling for information from the governor or other public officer or agent, shall be introduced, considered, or acted upon otherwise than is provided by the preceding rule, until it shall have been examined and reported upon by a committee.

39. Any other resolution or motion upon which a member may desire the judgment of the House, or any action other than a reference to a standing committee, may be presented to the House in the morning hour after the business on the Speaker's table is disposed of.

40. Reports of committees may be handed to the clerk at any time. He shall endorse upon them the time at which they are received, and place them upon the Speaker's table, to be disposed of in the morning hour. If, in the judgment of the Speaker, any report of a committee requires immediate action, he may bring it to the attention of the House at any time.

IV.

ORDER OF BUSINESS—THE MORNING HOUR.

41. After the reading of the Journal, one hour, to be called the "morning hour," shall be devoted to the dispatch of business upon the Speaker's table, and to resolutions presented under Rule 39. The business on the Speaker's table shall be disposed of in such order as the Speaker shall deem best, except as may be herein otherwise provided, or as the House may at any time order.

42. The annual message of the governor shall be laid before the House as soon as it is received. It shall be printed for the use of the House, and shall be considered by the several standing committees without any special order therefor.

43. All other messages from the governor shall, unless the House otherwise order, be referred by the Speaker to the proper committees. And the same rule shall be observed as to reports and communications from other public officers.

44. Bills and joint resolutions sent from the Senate shall be referred by the Speaker to the proper committees; those originating in the Senate being previously twice read. All other messages from the Senate shall, unless the House otherwise order, be referred by the Speaker to the proper committees.

45. All bills and joint resolutions reported from committees, and which have been previously read in the House, shall be transferred at once to the calendar, in the order in which they are reported. All those reported for the first time shall be numbered in the order in which they were handed to the clerk, and shall be read the first time and transferred to the calendar.

46. All other reports from committees shall be considered and disposed of in the order in which the Speaker shall present them, unless the House shall in any case otherwise direct.

47. A member presenting a resolution, under Rule 39, shall be allowed five minutes in which to explain his wishes in relation to it; after which the question on referring to a standing committee shall be taken without debate. If the House refuses to refer, the resolution shall be considered disposed of.

48. Printing recommended by committees, under Rule 24, shall be ordered by the Speaker, unless the House shall otherwise direct. Under such order no more copies of any document shall be printed than is provided by law; nor shall more than two hundred and thirty copies be printed of any bill, resolution, petition or memorial, without the special order of the House.

THE CALENDAR.

49. At the expiration of the morning hour, or sooner if the business of the morning hour has been disposed of, the House shall proceed to consider bills and joint resolutions upon the calendar, in the following order:

1st. Pending motions to reconsider, relating to business proper for the calendar.

2d. The unfinished business of the preceding day.

3d. House bills, &c., returned from the Senate with amendments, in the order to which they were transferred to the calendar.

4th. Senate bills, &c., in the same order.

5th. Engrossed House bills, &c., in the order in which they passed to their engrossment.

6th. House bills, &c., on their second reading, in the order in which they are numbered.

50. It shall be the duty of the clerk to see that the printing and engrossing, when ordered, shall be done in such time that the bills, &c., may be acted upon according to their priorities upon the calendar. If, however, any bill, &c., shall not be ready when it is reached upon the calendar, it shall be passed by, and be allowed to retain its place upon the calendar.

51. When the calendar has been called through, it may be called again, in order to dispose of any business that may be ready, and if there be none such, the business of the morning hour shall be resumed and disposed of; but the business of the calendar shall in no case be allowed to interfere with that of the morning hour without the unanimous consent of the members present.

52. The regular order of business herein established shall not be changed, nor shall any special order be made, except by a vote of two-thirds of the members present; but a majority may postpone the calendar, not exceeding one day at a time, or may pass by any subject coming up in order, without changing its place, or may agree to a joint order with the Senate, or may postpone or discharge any special order.

V.

CONDUCT OF BUSINESS—ORDER AND DECORUM.

53. The Speaker shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order without debate, subject to an appeal to the House. If the decision relate to a question of decorum or propriety of conduct, it shall not be debatable; if it relate to the priority of business, or the relevancy or applicability of propositions, the appeal may be debated, but no member shall speak on it more than once, except by leave of the House.

54. When a member rises to speak, he shall respectfully address "MR. SPEAKER," standing in his place: he shall confine himself strictly to the question before the House, and when he has finished he shall sit down.

55. When two or more members rise at the same time, the Speaker shall name the person to speak; but in all cases the member who shall first rise and address the chair shall speak first.

56. Every motion or proposition shall be reduced to writing, if desired by the Speaker or any member, and shall be delivered in at the clerk's table, to be there read; and the question shall be stated by the chair before the same shall be debated. When the reading of any paper in possession of the House, and not being the precise matter upon which the House is acting, is called for, and objection is made by any member, the question shall be determined by a vote of the House without debate. Any motion or proposition may be withdrawn by the mover at any time before a decision, amendment, or other action of the body upon it, except a motion to reconsider, which shall not be withdrawn without leave of the House.

57. No member shall in debate use any language or gesture calculated to wound, offend or insult another member.

58. If any member in speaking transgress the rules of the House, the Speaker shall, or any member may, call to order; in which case the member called to order, shall immediately take his seat, unless permitted to explain. If there be no appeal, the decision of the chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not proceed, except by leave of the House. For flagrant or repeated violations of order, especially if persisted in after the admonition of the Speaker, a member shall be liable to the censure of the House.

59. If any member be called to order by another member for words spoken, the words excepted to shall be immediately taken down in writing, in order that the Speaker and House may be better able to judge the matter.

60. No member shall, while the House is sitting, interrupt or hinder its business by standing up, leaving his place, moving about the hall, engaging in conversation, expressing approval or disapproval of any of the proceedings, or by any other conduct tending to disorder and confusion.

61. In any one debate on the same question, no member shall speak more than once till all others have spoken who desire to do so, nor more than twice, without the consent of a majority of the members present.

ASCERTAINING THE QUESTION.

62. If the question for decision include several distinct propositions, any member may have the same divided; but a motion to strike out and insert shall not be so divided, nor shall a motion to strike out, being lost, preclude either amendment or a motion to strike out and insert. In filling blanks, the question shall be put first upon the largest sum and the longest time. No motion or proposition, or a subject different from that under consideration, shall be admitted under color of amendment.

63. When a question is before the House, no motion shall be received, unless specially provided for, except to adjourn, to pass by, to lay upon the table, to postpone for a specified time or purpose, to commit or amend, to dismiss; which several motions shall have precedence in the order in which they are arranged. If the motion to pass by, or to lay upon the table, or to postpone, shall prevail, a motion to print shall be in order before proceeding to the consideration of another subject; but shall be decided without debate.

64. Upon the motion to pass by, the mover shall be allowed two minutes to state the reason for his motion, and one member opposed to the motion shall be allowed a like time to object. The motion to pass by, to lay upon the table, for the previous question, and for the pending question, shall not be debated; nor shall debate be allowed on a motion to take up a subject from the table, or to reconsider any question which was not debatable. When a question not debatable is before the House, all incidental questions arising after it is stated to the House, shall be decided and settled, whether on appeal or otherwise, without debate; and the same rule shall apply to incidental questions arising after any question is put to the House.

PENDING AND PREVIOUS QUESTIONS.

65. Pending a debate, any member who obtains the floor for that purpose only, and submits no other motion or remark, may move for "the previous question," or "the pending question;" and in either case the motion shall be forthwith put to the House. Two-thirds of the members present shall be required to order the main question; but a majority may require an immediate vote upon the pending question, whatever it may be.

66. The previous question shall be in this form: "Shall the main question now be put?" If carried, its effect shall be to put an end to all debate, and bring the House to a direct vote upon a motion to commit, if pending, then upon amendments reported by a committee, if any; then upon pending amendments; and then upon the main question. If upon the motion for the previous question the main question be not ordered, debate may continue as if the motion had not been made.

TAKING THE VOTE.

67. The Speaker shall rise to put a question, but may state it sitting. Questions shall be distinctly put in the following form, viz: "As many as agree that, &c. (as the question may be), say AYE;" and after the affirmative vote is given, "Those opposed, say No." If the Speaker doubts, or a division is called for, the House shall divide—those in the affimative of the question rising first from their seats, and afterwards those in the negative. If required, the Speaker shall cause the result to be ascertained by a count.

68. The yeas and nays on any question may be called for at any time before proceeding to another question or proposition, but being once refused, they shall not be again demanded on the same question; and any member shall have a right to vote at any time before the decision is announced by the Chair.

69. Upon a division of the House on any question, a member who is present and fails to vote shall, on the demand of any other member, be counted on the negative of the question; and when the yeas and nays are taken, shall, in addition, be entered upon the Journal as present and not voting. But no member who has an immediate and special personal interest in the result of the question shall either vote or be counted upon it.

RECONSIDERATION.

70. When a question has been decided, it may be reconsidered on the motion of any member who voted with the prevailing side: provided it be made on the same day or within the next two days of actual session. The motion may be entered as a matter of privilege, and shall take precedence of everything except special orders and other buestions of privilege, and be disposed of in the morning hour or with the calendar, as the case may be. All motions to reconsider shall be decided by a majority of the votes of the members present.

BILLS, &C.

71. Every bill shall receive three several readings in the House previous to its being passed, and it shall be distinctly announced at each reading, whether it is the first, second, or third time.

72. The first reading of a bill shall be for information merely, and it shall go to second reading without a question.

73. Upon the second reading of a bill, it shall be open to amendment or commitment, or to any of the motions provided for in Rule 63; and the final question shall be, "Whether it shall be engrossed and read a third time?"

74. A bill ordered to be engrossed shall not have its third reading until the engrossment is actually and properly done; but, in the case of a Senate bill, the engrossment shall only apply to such amendments as may have been made in the House.

75. No amendment to a bill shall be received upon its third reading, by way of rider or otherwise; and no amendment, involving an additional appropriation shall be added to the general appropriation bill, unless to carry into effect an existing law, or unless it receives the vote required to pass the bill itself. But a bill may, at any time before its passage, be committed or recommitted, and when reported back shall be placed on the calendar, and if amended shall, whether on its second or third reading, be engrossed, as may be necessary.

76. On the third reading of a bill, the question shall be, "Shall the bill pass?"

77. The title of a bill, and such parts thereof only as shall be affected by the proposed amendments, shall be entered upon the Journal

78. Joint resolutions intended to have the force and effect of law, or to express the opinions, wishes, or purposes of the General Assembly upon any matter not connected with the preparation, direction, or conduct of its business, shall be introduced, considered, and disposed of in all respects as provided in regard to bills.

PETITIONS.

79. Petitions of private nature once rejected, shall not be heard again unless upon new evidence, and not oftener than once under any circumstances.

80. If a petition or memorial relate to a subject of local interest, as the division of a county, the establishment of a ferry, or the like, it shall not be allowed until it shall appear that the intention to present such a petition or memorial has been duly and fairly made known to the community to be affected.

81. If it relate to a matter of private right or interest, it shall appear that the parties to be affected have had notice at least equal to that required by law in regard to matters to be transacted in a court of justice.

82. No petition shall be allowed claiming a sum of money or praying the settlement of unliquidated accounts alleged to be due from the State, unless it be accompanied by a certificate of the executive or auditor, stating why the claim has not been allowed and paid.

83. The same objections shall apply to acting upon such matters by bill or resolution without petition or memorial; and the several committees of the House will be charged with the duty of reporting specially on these points in connection with any action proposed to be taken on such subjects.

84. Original papers filed as exhibits with any petition may be withdrawn by the petitioner, or upon his order, or his leaving attested copies, for which he shall pay the clerk at the rate provided by law for other copies made by him.

MESSAGES.

85. It shall be the duty of the clerk, without any special order therefor, to communicate to the Senate any action of the House upon business coming from the Senate, or upon matters requiring the concurrence of that body; but no such communication shall be made in relation to any action of the House while it remains open for consideration.

MANUAL AND RULES.

86. The rules of parliamentary practice comprised in Jefferson's Manual, shall govern the House in all cases to which they are applicable, and in which they are

not inconsistent with the rules of the House, and such joint rules as are or may from time to time be established by the two houses of the General Assembly.

87. The rules of the House shall not be changed or suspended, except by a vote of two-thirds of the members present, to be ascertained by an actual division of the House; and upon a motion to suspend a rule of the House, the mover shall be allowed two minutes to state the reasons for his motion, and one member opposed to the motion shall be allowed a like time to object.

HALL OF THE HOUSE OF DELEGATES.

88. During the session of the legislature the hall of the House of Delegates shall be used for no other purpose than the regular sessions of the House, and for meetings of the committees and members of the legislature on public affairs.

The SPEAKER laid before the House a communication from the clerk of the House of Delegates, transmitting an abstract of reports made to him by clerks of courts. (Document No. 1.)

Ordered that Mr. DABNEY inform the Senate that the House is ready to proceed to business.

A message was received from the Senate by Mr. Jones, who informed the House that the Senate is organized and ready to proceed to business.

Mr. HAY offered the following concurrent resolution:

Resolved (the Senate concurring), That a committee of five on the part of the House and three on the part of the Senate, be appointed to inform the Governor that the General Assembly is now organized and ready to receive any communications he may desire to make; in which they respectfully request the concurrence of the Senate.

Ordered that Mr. HAY carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. STUBBS, who informed the House that the Senate had agreed to the resolution.

The SPEAKER appointed Messrs. HAY, POLLARD, BUFORD, STARKE and ELAM the committee on the part of the House.

The committee subsequently, by its chairman, reported that they had waited upon the Governor, and that he would communicate at once to the General Assembly in writing.

A message was received from the Governor by his Secretary, as follows:

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
RICHMOND, VA., *December* 7, 1887.

To the General Assembly:

As required by law, I have the honor to communicate to you the condition of the Commonwealth, and to recommend such measures as will, in my opinion, promote the prosperity of the State. The Legislature convenes at a propitious period in the history of Virginia; a prosperous future points to peace and progress within her limits, and wise decrees and economic laws will be expected and demanded by the people of their representatives.

My executive duties began on the 1st day of January, 1886. The Legislature of 1885–'86 was already in session. The vexatious sore on the body politic was the public debt, and it was an ulcer tender to the touch of citizens within and without the limits of the State. Political parties were weary with its pain, and a jaded Commonwealth lamented its duration. With the belief that from a sound state of public health would freely flow multiplied blessings, my attention was at once directed to such sanitary measures as would produce results so much to be desired. It was clearly the initial point upon which executive work should begin.

After careful reflection, I was convinced that a conference between the State and the representatives of her creditors would not be injurious to either, and might be beneficial to both. In a message communicated to the General Assembly February 18th, 1886, I therefore recommended that a committee be appointed, whose duties should be plainly defined; whose powers should be carefully prescribed, guarded and limited; and whose mission should be to meet a commission from the creditors; and, while urging them to accede to a settlement, whose obligations the State could meet without increasing the burdens of her people, to point out at the same time the vast untried and unexpended power which always resides with a resolute and united people, and caution them against arousing a public sentiment which, forgetful of justice, and taking counsel from passion, might destroy the interest which we were then striving to protect.

The propriety of the proposed course was not received by the Legislature with that unanimity so essential to a successful solution of the problem, and resulted in no action being taken by that body.

A desire to promote the public welfare decided me to call an extra session of the same body to meet in this city on the 16th of March, 1887.

The recommendation which I made to them the previous year for the appointment of a commission was renewed, and this time was adopted by a vote in the Senate of 22 ayes to 10 noes; and in the House by 55 ayes to 6 noes. A joint committee of four members from the Senate and six from the House, inclusive of the presiding officers of each body, accordingly met in this city on the 29th of April last.

After a laborious session of several weeks I regret to say this joint commission adjourned without reaching a settlement.

To the final report of the legislative committee, known as Senate Document No. 18, you are referred for information regarding their conference with the bondholders' commission. If the final proposal of the English representatives had been accepted by our committee and the outstanding obligations of the State funded under

the terms proposed, it would have resulted in the State having to make provision for the redemption of a principal of a debt of $24,909,919, and the payment of an annual interest of $922,508.

A careful estimate of the available revenue for that purpose demonstrated her inability to meet this demand. In any settlement embracing annual payments greater than the State could meet with her present income, a default in the payment of the interest would arise, carrying with it hope removed, a repetition of the experience derived from the State's "pandora box," the funding bill of 1871.

As far as could be ascertained the English commission represented about 80 per cent. of the consol bonds and some 30 per cent. of the ten-forties; the remaining bonds of the last denomination being held in this country. It was therefore thought that if a settlement could be made with the English holders it would probably have extended to bonds held by others. No disposition was manifested by Sir Edward Thornton and his associates to make a settlement which would involve any increase of taxes. They professed to be willing to settle upon the amount which would be left of the State's revenue after all other necessary expenses had been defrayed.

They would not accept the State's figures as to that amount, nor could we accept their estimate.

The conference, though unsuccessful, was in some respects beneficial. It located with greater certainty than ever before the obligations of the State. A desire upon the part of the Commonwealth to make a settlement within her ability to pay was manifested, while she declared positively that the benefit the children of her citizens were receiving in the public schools should not be decreased. She insisted, too, that her fostering care should be extended over the insane, and proclaimed that her protecting arm should be thrown around the disabled soldier and sailor, whose wounds so eloquently certified his devotion to his State. The action of the Legislature in the appointment of the joint committee, and the proceedings of that committee, received the endorsement of the people at the polls; for in the recent election for members of the Legislature no word of dissent came from the lips of the candidates of either party, and so far as I know, the mode of the settlement of the public debt was not a matter of discussion between them. From such premises, the conclusion is reached that both parties are united in maintaining the act approved February 14, 1882. Can the State still meet the obligation of that measure without an increase of taxation? In my message to the extra session of the last Legislature will be found a carefully prepared estimate of annual expenses of the government, based upon present annual appropriations to public free schools, eleemosynary institutions, and institutions of learning, which does not include anything for construction of new buildings or enlargement

of those now owned by the State; that table is applicable now, and I respectfully call your attention to it in the appendix to this message, marked Table No. 1. An examination of it demonstrates that exclusive of interest on the debt, except to institutions of learning, which is now paid on the unfunded bonds held by them, the average annual expenditure of the State to be $2,057,119.64.

In a communication from the Auditor of Public Accounts transmitting an estimate of the annual receipts of the Commonwealth from all sources, based upon the assessments of 1886, in response to a resolution of the Senate adopted the 15th of March, 1887, the annual revenue of the State is set down at $2,521,875.84. A copy of this table is also appended, marked Table No. 2.

From these statements it is ascertained that the revenue of the State applicable to payment of interest other than that upon bonds held by institutions of learning, is $464,756.20.

The annual interest to be provided for, if all outstanding obligations were funded into bonds, under the act approved February 14, 1882, except those held by institutions of learning, would be $658,-342.04. In order, therefore, to carry out the provisions of that act, the sum of $193,585.84 would have to be annually raised in addition to the present revenues.

But whilst this deficiency is shown, it will be borne in mind that the Riddleberger bonds held by the Commissioners of the Sinking Fund are the property of the State, and can be cancelled; that the stock held by the State in the Richmond, Fredericksburg and Potomac Railroad Company can be sold, and the proceeds used in the purchase of Riddleberger bonds, or the dividends upon said stock, now going into the hands of the Sinking Fund Commissioners, can be used in the payment of interest upon State stock, held by the United States; which interest, funded into Riddleberger bonds, is $16,457.81 per annum, because the State holds a claim against the United States in excess of value of such bonds.

The balance on hand in the Treasury October 1, 1887, was . . .	$352,181 22
The receipts during the past fiscal year ending September 30, 1887, amounted to	2,569,338 73
During the same period the disbursements amounted to	2,637,138 25
Being	67,799 52
More than the revenue, but included in the expenditures for the past fiscal year is	143,079 84

Which was advanced, under the act approved April 6, 1887, to the treasurers of the counties, for the support of the public schools until the taxes could be collected for that purpose. Of that amount, $107,-015.83 has been already returned. These disbursements also embrace special appropriations to the building funds of the Eastern, Western, Southwestern and Central Lunatic Asylums, and to the Colored Normal School. It also includes $52,200, paid to the Washington and Lee University, being the last arrears of interest due on bonds held

by it; and $25,000 used by the Commissioners of the Sinking Fund in purchase of Riddleberger bonds. It also comprises the interest paid on Riddleberger bonds and coupons forced into the treasury, which, being redeemed, represent paid interest on the public debt; on the other hand, all calculations as to the amount of revenue in the future. It must be remembered that the revenue may be reduced in proportion to the adoption of local option by the several cities and counties. The whole sum the State now derives from license tax on liquors is about $300,000 per annum. It must also be remembered that the law [Twelfth Article of the Constitution] provides that next year the vote must be taken whether a convention shall meet in 1889 to revise the Constitution, and in case such convention shall be called, financial provisions will have to be made for its expenses.

The number of tax-receivable coupons outstanding at the end of the last fiscal year, namely, the 30th of September, 1887, was $4,278,696.50.

The number of tax-receivable coupons which found their way into the treasury on judgments for taxes during the last fiscal year was $81,620.50.

In this connection your attention is called to the extract from the report of the Second Auditor for the fiscal year ending September 30th, 1887, in reference to the public debt, in a table marked No. 3, appended to this message.

From the facts and figures given I draw these conclusions:

FIRST. Both political parties agree that the act approved February 14th, 1882, shall be maintained.

One of these parties has held no convention recently, but the other, and now the governing party of the State, in the platform erected at Roanoke as late as August 4th, 1887, and upon which their members of the General Assembly stood and received their certificate of election, stated through their representatives there assembled that it approved the action of the Legislative committee at the debt conference and pledged over again its support to the act of 1882.

SECOND. That the number of coupons coming into the Treasury in proportion to the cash revenues upon which the State depends to carry on the Government, is not yet crippling her schools or her eleemosynary and educational institutions, or blocking the wheels of her State government.

THIRD. That the Commonwealth can still carry out, in good faith, the act of 1882, because the obligations incurred are within her ability to meet without default of interest and without increasing the taxes of her citizens.

DEBT LEGISLATION.

I had the honor to recommend, and the General Assembly passed at the special session of 1887, an act entitled, "An act to provide for the recovery by motion of taxes and certain debts due the Commonwealth for the payment of which papers purporting to be genuine coupons of the Commonwealth have been tendered," under which it was believed the State would be enabled to proceed against delinquent tax-payers who had tendered coupons in payment of taxes, but had not paid their taxes in coupons or money. It was believed the State in this way could lawfully compel the tax-payer to either prove his coupons to be genuine and deliver them to her officer, or pay in money. Many tax-payers had tendered coupons in payment of their taxes and then immediately disposed of the coupons to other tax-payers, whereby the State neither received money or coupons. In other instances the tax-payer whose property had been levied upon and sold after tender of coupons, sued the Treasurer and recovered the money paid without delivering the coupons tendered, and the State received nothing for the taxes.

Immediately after the adjournment of the General Assembly, Mr. J. P. Cooper and other English citizens procured from the Circuit Court of the United States for the Eastern District of Virginia an injunction restraining the Auditor of Public Accounts, the Attorney-General and all the attorneys for the Commonwealth and treasurers in the State from doing any act to put the law in force.

With the view of testing the legality of such proceedings on the part of the Federal judge, the Attorney-General and all the attorneys for the Commonwealth for several counties nevertheless instituted the suits required, and proceeded to obtain judgments against the delinquent tax-payers.

For this the Attorney-General and attorneys for the Commonwealth for Fauquier and Loudoun counties were found guilty of contempt by the Circuit Court of the United States, and each were fined and imprisoned until the fine should be paid and they should have dismissed all pending suits and entered the judgments which had been paid, satisfied.

The officers positively refused to obey the orders, and were imprisoned. The State at once employed counsel and obtained writs of *habeas corpus* from the Supreme Court of the United States, under which the officers were released upon their recognizance to await the decision of the court. The cases were fully argued on the 14th of November by counsel employed by the State, and decided on the 5th inst. The full text of the court has not yet reached me, but the act approved May 12th, 1887, is recognized as valid, and the proceedings of the Circuit Court of the United States restraining the officers of the State from enforcing the act, and imprisoning

them for conforming thereto are condemned and reversed as without authority and against the 11th amendment to the constitution of the United States.

In view of the recent decisions of the Supreme Court of the United States, it may be reasonable to suppose that the bondholders, as soon as they consider that decision, will be disposed to make a debt settlement, whose obligations can be faithfully carried out without an increase of taxation. I would suggest to the General Assembly the passage of a joint resolution suspending, for a reasonable time, the institution of all legal proceedings under the act of May 12th, 1887.

I have assurances, which I deem entitled to confidence, that the course I have suggested, if adopted, will be attended with results satisfactory to all concerned.

THE CODE.

Since the adjournment of the extra session of the last Legislature, I am informed that the revisors of the Code have been at work earnestly and faithfully in preparing a suitable index and a proper digest and caption of the different sections, and references to the statutes and adjudged cases. This could not be done until after the General Assembly had adopted the Code. Some inevitable delays have occurred in making contracts, and for the printing and getting ready for the work; the printing, however, is rapidly being done, and will be completed by the 15th of January.

The completion of this important and useful work, in which the whole State is so much interested, should be the subject of congratulation to the Legislature and to the State. Clear laws, drawn in indisputable language, cannot always be enacted; their terms, however, should be closely searched at the time of passage in order that their future construction may be simplified, while the interests of the State demand that they be grouped and placed before her citizens in the most apparent and accessible shape. The time for the new Code to go into effect should be extended, because there is not interval enough after the printing is completed to distribute it before the date now designated for the laws therein to be operative.

DEPARTMENT OF EDUCATION.

Your attention is specially invited to the important department of education.

Our public school system, as shown by official records for the school year closing July 31, 1887, exhibits substantial and healthy progress. The efficacy and general success of a system of popular education depends upon the amount of funds provided by law for its support, the judicious and economical expenditure of such funds, the ability and skill and fidelity of those charged with the imme-

diate supervision of its operations, and on the encouragement and moral support accorded it by the people. During the past year the amount of money raised and applied to the public schools, the number of schools opened and teachers employed, and the number of pupils enrolled and in average attendance *are all greater* than during any year since the system was inaugurated. Information in detail and special recommendations will be contained in the forthcoming annual report of the Superintendent of Public Instruction. The importance of such further, judicious and friendly legislation as will not only maintain, but also increase the efficiency and usefulness of the system, earnestly commends itself to the attention of the General Assembly. Reports from State institutions for technical and higher education exhibit an encouraging degree of prosperity.

The financial condition of some of them has undergone decided improvement, while the patronage of all of them has been well sustained, and in nearly every instance has materially increased. The present scholastic year is marked by a decided increase in the number of matriculates in almost all these institutions, while in some this increase is exceptionally large. In addition to the facilities afforded by the State for the education of her people, there are a number of excellent schools and colleges conducted by private individuals and by the different churches. While these have no connection with the State government they are to be recognized as among the effective educational forces of the Commonwealth. It is a matter of special gratification that an unusual degree of prosperity is attending them during the current year. The increase in the number of scholars at schools of this class is proof of the growing prosperity of those who send them there. As an evidence of the prosperous condition of our educational institutions it may be mentioned that on the 1st of December, 1886, there were 287 students registered at the University of Virginia. On the same date of this year there were registered 361. At the Virginia Military Institute on the 1st of December, 1886, there were 135 cadets. On the same date this year there were 166 cadets. At the Virginia Agricultural and Mechanical College on the 1st of December, 1886, there were 87 students. At the corresponding date this year there were 136. The State Female Normal School at Farmville in its management, efficiency, and results is highly satisfactory. There are in the school of practice and observation and Normal school proper 215 students. At the Virginia Normal and Collegiate Institute December 1, 1886, there were 162 academic students. On December 1, 1887, the number of academic students was 187.

These institutions all deserve, and should receive, the hearty support of the representatives of the people. Their work is closely interwoven with our entire educational system. The higher round

of the educational ladder may not be reached by all classes, but is within the reach of all who climb boldly and successfully the lower rounds of the same ladder. Indeed, Mr. Jefferson, the founder of our great University, expressed this view when he said: "We should always keep an eye steadily on the whole system" of education; while the great German publicist, Dr. Lieber, represented the same idea when he tells us that "The university and the common schools are the two buttresses of the arch of public education." It is essential to the prosperity of both that each should be kept strong, sound and firm.

In reference to the public schools I would recommend that by further legislation the General Assembly endeavor to improve the system in sparsely settled districts in the different counties.

In these districts the facilities for public school education are susceptible of improvement. I would also recommend that some legislative action be taken which would authorize the beginning of elementary industrial education or manual training in the common and graded schools. Great technical schools, with large endowments, are not within the reach of all, but by a moderate expenditure by the local authorities elementary industrial teaching can be introduced effectively in a large number of schools. I consider this a matter of great importance for the future as bringing about a more rapid development of the products of our State and making useful members in their respective communities of her citizens. The Miller Manual Labor School of Albemarle county would be able to furnish many teachers in this line for the white classes, while the Hampton Normal and Industrial Institute could furnish teachers for the colored classes.

The splendid work the two institutions I have named are doing within the limits of the Commonwealth cannot be overestimated, and their accomplished superintendents could doubtless give valuable suggestions as to the feasibility of introducing manual and industrial training into our public school system. The rapid development of the industrial interests of Virginia points directly to the importance of giving special attention to these subjects.

The Virginia Military Institute is doing its accustomed good work in annually returning to us educated men equipped for civil or military purposes, ready and prepared for either. The drawing department of the Institute should be extended to cover the important changes constantly going on in its department of applied sciences, and an appropriation should be made which would enable the Institute to embrace the application of photography now so necessary in engineering and mining service.

The Agricultural and Mechanical College at Blacksburg is in a flourishing condition, with every prospect of a large increase in its usefulness. In order that it may continue in its prosperous course,

and be productive of great benefit to our State, it should receive liberal encouragement from the Legislature. The State has appropriated nothing for this institution since 1878. The barrack-room is only capable of containing eighty-four men, while the State is pledged to furnish quarters for two hundred, so that rooms for quarters have to be rented outside, a system prejudicial to good order and military discipline. A proper building for machine-shops is also necessary. The present small wooden building is entirely inadequate to the necessities of this great branch of instruction which is made a specialty at this College. I append to this report a letter from the President of the College in reference to the details of the recommendations I here make.

The Virginia Normal and Collegiate Institute is also in a good condition. The attendance of teachers at the summer session 1887 was 131, and of that number 129 were granted certificates. In 1886 there were eight graduates from the Normal Department. At the commencement of this year there were eighteen, all of whom are now engaged in teaching colored schools of the State. The work of this Institute has been somewhat obstructed by want of accommodations. The additional building, however, is nearing completion, and when finished the Institute will have, it is reported, accommodations for at least 700 students. From a personal inspection of this Institute, I believe it is fulfilling its mission and carrying out the objects for which it was established.

ELEEMOSYNARY INSTITUTIONS.

An examination of the interesting reports of the boards of directors and superintendents of the four insane asylums, and the institution for the education of the deaf, dumb and blind, will show that the trusts reposed therein have been faithfully executed; beneficial sanitive measures have been adopted; proper regulations have been put in force, and excellent care and attention bestowed upon the inmates and pupils.

The recommendations contained in these reports, in regard to insurance and other matters, will receive your careful consideration. The State has no higher or more sacred duty than the maintenance of this unfortunate class of her citizens.

During the past fiscal year ending September 30, 1887, four hundred and twenty applications were received at the Eastern, Western and Southwestern asylums for admission, and three hundred and seventeen were admitted. All the colored insane can be provided for as soon as the additions to the Central asylum are completed.

In the Eastern asylum the average number of patients for the past fiscal year was four hundred and one; in the Western asylum on October 1st, there were five hundred and eighty-nine; in the Southwestern one hundred and thirty-nine; the present capacity of this

asylum is two hundred and fifty; in the Central asylum, the daily average for the year was four hundred and seventy.

The number of pupils at the Deaf, Dumb and Blind Institute is three hundred and thirty-four.

The additional building to the Central asylum, for which the Legislature of 1886 appropriated $22,500, will be ready for use by the first of January next; two hundred more patients can then be provided for; this will not only take all of the colored insane out of the jails, but relieves the asylum of its over-crowded condition. The superintendent reports that "the increase of insanity amongst the colored race is amazing;" and he fears "that in two years hence there will be from one hundred and fifty to two hundred colored insane unprovided for."

There seems to have been a most injudicious use made of the $202,000 appropriated for the erection of the main building to the asylum. In a statement embodying the result of a recent examination of the building, made by a competent architect, at the request of the president of the board of directors, its condition and manner of construction is fully set forth, and the fact disclosed that the State is not in possession of such a building as her liberal appropriation for it would seem to justify. The foundation walls in many places are cracked already, and the bricks are of such inferior make and material, that they are being crushed by the weight above.

AGRICULTURE.

There is no question which can be brought before the Legislature of more importance to Virginia than the promotion of her agricultural interests.

It has been well said that a plea for the farmers is a plea for the State, and the great number of our citizens who are engaged in providing for themselves and their families a support from the soil should incline their representatives to the passage of all laws which will advance the interests of the farmers. The whole State will at once feel any vigorous increase in its agricultural prosperity. The career for stock raising and sheep farming in the future is broad, but the development of the smaller industries and grain-growing has not been attended in some parts of the State with gratifying results.

The present faithful and efficient commissioner of agriculture is diligently striving to bring about a better condition of things in his department, but the means of accomplishing that end are very limited. I recommend an increased appropriation for the department of agriculture, to be provided for either by tax upon fertilizers or in such other way as the General Assembly may determine to be best. I would also recommend that the commissioner of agriculture be made a member *ex officio* of the Board of Visitors of the Virginia

Agricultural and Mechanical College at Blacksburg, and bear the same relation to that college as the adjutant-general will do to the Virginia Military Institute after 1st January next. I would also recommend in this connection that a bureau of immigration, labor, and statistics be established as a part of the department of agriculture; for the commissioner of agriculture well says, "An active bureau of immigration enlisting the co-operation of railroad authorities and all organizations having for their object the introduction of immigrants into Virginia, can do so much for promoting the settlement of her waste lands, fostering manufactures, and creating markets."

STATE PENITENTIARY.

The State penitentiary, under the management of its board of directors and its capable superintendent, serves well its purpose. The number of convicts on the first of this month was 960; 190 being white and 770 colored, or 185 white males and 706 colored males; 5 white females and 64 colored females; 807 of them are in prison, 115 on the South Atlantic and Ohio railroad, and 38 in Russell county.

There has not been much demand for convicts to work the public roads of the Commonwealth under laws already passed. Applications are now and then made for them to work on the railroads, but in consequence of such projected roads not being completed, and for other reasons in many cases, such applications are not further insisted upon.

In this connection I have the honor to recommend that a reformatory or industrial school be established, either separate and detached from the penitentiary or in connection therewith, where youthful criminals can be confined without coming in contact with the older and more hardened class of offenders. There should be a wide discrimination in the treatment of a boy, who is convicted perhaps of his first offence against the law, and a man who has probed to the bottom the depths of crime. The punishment of criminal youths should have a reformatory as well as punitive object, but it is impossible to put into practice reformatory measures where the two classes of criminals come in daily contact with each other. In the penitentiary at this time there are 197 criminals under the age of 21 years.

I would recommend that a law be passed placing in this reformatory school all criminals under 18 years of age, and that the governor be empowered to transfer from the penitentiary to that reformatory school any other criminals between the ages of 18 and 21 where hope is held out that such indulgence would not be misused and there was a reasonable hope of reclamation. A system of this sort has worked satisfactorily in several of the States.

During Governor Hoadly's administration in Ohio, of 80 boys thus released from the penitentiary and transferred to the reformatory school, one became insane, six went back to crime, and 73 proved worthy of the indulgence granted them. To reclaim from a life of crime even one young soul would be a satisfactory work. With the growing population of the State the number of criminals increase and an enlargement of the present penitentiary is already demanded. By the proposed separate arrangement for youthful criminals additional room would be gained for the other classes of malefactors.

I have the honor also to recommend that a system of monthly inspection of all jails in the State be made by the Commonwealth's attorney, or such local officer as the judge of the city or county in which said jail may be located, shall designate, and a written report to be made to said judge after each inspection, and such report be spread upon the records.

The penal and charitable institutions of the State will be inspected by the governor, or some officer designated by him, as often as he may think proper and practicable. I have already personally inspected most of these institutions, and found their condition in every respect most creditable to their management.

VOLUNTEER TROOPS.

Since the 1st of January last the following volunteer troops have been called out by the civil authorities to assist their officers in preserving the peace in their respective localities, namely: On January 11th, Companies A and B, First regiment, under command Major Bidgood, and the State Guard of colored troops—the whole being under direction of Brigadier-General Charles Anderson, were called to Newport News at the request of the judge of Warwick county. On August 30th, the mayor of Petersburg called upon R. E. Lee Battery, the Petersburg Grays, and the Petersburg Guards, the first two being white and the last a colored company, to be in readiness to assist him in preserving the peace there; and on the 11th of November, the mayor of Pocahontas, Tazewell county, with the co-operation of the civil officers of that county, requested troops to preserve the peace in the mines. The Fitz Lee Troop, the Lynchburg Artillery, and Lynchburg Home Guards, were accordingly sent to that point. The prompt arrival of the troops at these points, and the soldierly conduct of both officers and men, in a large degree prevented a disturbance of a peace their only mission was to preserve. "A well-regulated militia" is "necessary to the security of a free State," and the Commonwealth should be ready to promote the efficiency and discipline of her volunteer soldiery, who in turn are ever prompt with their services in preserving law, peace and order within her borders.

The volunteer militia, numbering about 3,000 men, are better equipped, better armed, disciplined and drilled than ever before in the history of the State, and can be depended upon in any emergency. It is seen that I availed myself of the services of the colored as well as the white soldiers, and my confidence in the performance of their duty was not misplaced.

At Newport News, in the midst of threatened disturbance of the peace by their own race, the company sent there was resolute and firm, whether on the sentinel post or in company front, and was ever ready to obey with alacrity any order from the officer commanding.

At the national drill and encampment, in Washington, in May, or in Philadelphia, at the celebration of the centennial of the Federal Constitution, in September last, or whether in the procession at the laying of the corner-stone of the Lee monument in October last, the good conduct and soldierly behavior and military appearance of the State troops won universal commendation and reflected credit upon Virginia. The clear and comprehensive report of the adjutant general gives in detail the necessary information about our volunteer troops.

THE SOLDIERS' HOME.

When Virginia called on her sons to rally to her defense in 1861, from highest mountain top to lowermost valley the cry was heard, filling her ranks with brave men, upon whose daily labor helpless women and little children leaned for livelihood. Twenty-six years have passed since then, and the boy who rushed to battle as to a banquet is the maimed veteran of to-day, in many instances, helpless and houseless.

Upon the suburbs of this city a beautiful "Home" for homeless Confederate soldiers, has been established by private donations, solicited by the "R. E. Lee Camp" and which will probably ultimately become the property of the State. The time has come when the State should call together and support there, for the few remaining years of their lives, the soldier and sailor who, maintaining Virginia's flag upon many a hard fought field, can no longer maintain himself. I recommend a generous annual contribution for this purpose.

JUDGE HUSTINGS COURT CITY OF STAUNTON.

I have the honor to state that the resignation of J. W. Green Smith, judge of the hustings court of the city of Staunton, was accepted at his request, to take effect on the 31st of October last. His term of office would not expire by limitation until the first of January, 1889. The interval between the date of the acceptance of the resignation and the meeting of the Legislature was brief, and I therefore declined to make an appointment to fill the vacancy lest

it might in some way embarrass the action of this Legislature, whose duty it is to elect his successor.

DIVIDING THE STATE INTO GRAND DIVISIONS.

Another subject I think of sufficient importance to call your attention is the separation of the State into geographical divisions whose limits shall be clearly defined. Indeed, I would recommend that the counties by name be placed in the respective divisions, so that the execution of the laws, particularly as regards boards of visitors to the State institutions, can be strictly carried out.

CAPITOL BUILDING.

I feel it my duty to call the attention of the Legislature to the condition of the building now used as a State capitol. It has been for years inadequate for State purposes, and offices are now rented at the State's expense in different portions of the city for the superintendent of public instruction, the commissioner of railroads, the commissioner of agriculture, the superintendent of public printing, and the adjutant-general and the court of appeals. Apart from this, the constant increase in storage of valuable books, papers and records in the library and other portions of the building, has accumulated such weight as to jeopardize human life, while the danger from fire, always great, especially in the library, would involve an irreparable loss to the State of books, records, paintings, etc., which could never be replaced. To meet the pressing wants of the State's service it is necessary either to turn your faces from the memories, rich and rare, which cluster around the old edifice, and build a new and larger capitol with greater facilities for the purposes of the State, or to erect a suitable building elsewere to contain the library, historical records, State offices, court of appeals, etc., etc. Of the two plans I would recommend the latter. In that case, the old capitol could be remodeled in the basement and library story, and ample room obtained for legislative purposes, committee-rooms, and a few State offices. In this connection, I call your attention to the report of the commissioners of the sinking fund in response to a resolution of the General Assembly in regard to the cost of a State building for the purpose indicated, known as H. D. No. 12, of the session of 1883–'84, as it contains much useful information on this subject. I would recommend that a committee of two from the Senate and three from the House be at once appointed to take this whole subject into consideration, including plan, location, and price of such a structure, and to report the result of their investigation as soon as possible, that this Legislature may act promptly in the matter. I have been informed that the library in the Capitol has caught fire already a number of times, and in view of its great value the State

should lose as little time as possible in safely placing its valuable records in a fire-proof building.

There has already been set apart for the construction of this building Riddleberger bonds as follows:

Face value of Riddleberger bonds held by Board, $163,200, the market value of which, at 63c., is	$102,816 00
Also a bond of Tredegar Co., due March 16-19, 1885, for $5,955.55, interest for three years	7,037 55
On deposit Merchants National Bank, Richmond, Va.	22 25
Making a total of	$109,875 80

already available for this purpose.

The money with which these bonds were bought was realized from the sale of real estate owned by the Commonwealth, as set forth in acts 1883-4, chapter 353, section 1, and the proceeds of sale invested, as required by section 8 of the same act, approved March 10, 1884.

I advise that an appropriation be made for painting the outside of the capitol, governor's mansion, and out buildings. Their appearance and preservation alike demand it.

REGISTER OF LAND OFFICE.

I hope the Legislature will closely search the expense account of the government, and promptly reduce disbursements wherever it can be done without injury to the public service; and where such expenditures are unnecessary, abolish them; in this way the amount to be taken from the revenue account, will be smaller, and the surplus income greater.

As a beginning of this good work, I have the honor to recommend that the position of register of land office be abolished, and that all papers, books and records be turned over to the Second Auditor's office.

Second. That the police force for duty at the capitol and public grounds, be composed as now, of seven members, to be appointed by the governor, one of whom shall be known as chief-of-police and superintendent of public buildings. This officer should be held responsible for the strict performance of their duties, by the police, and shall, under the direction of the governor, have charge of the repairs to public buildings, and see that the public grounds are kept clean and in every respect in good condition.

The pay of the six policemen should be the same as they receive now—namely, sixty-five dollars per month, and the pay of the chief-of-police to be eighty-five dollars per month.

I have also to recommend that the convict labor now employed at the capitol and on public grounds be replaced by the work of men who have not committed offence against the State laws. This work is done now by seven convicts, some of whom are guarded by the capitol police, and others labor under a guard from the penitentiary.

The work done by these convicts can be much more satisfactorily performed by three or four good laborers, at, say, thirty dollars per month, to be selected and employed by the chief-of-police.

The official reports from the heads of the various departments of the government have all been rendered. They will be found faithful in detail and full in material, and to these reports you are respectfully referred.

And now to you, gentlemen of the Assembly, I commit the important subjects brought to your attention, with the confident hope that your enactments will exalt the civilization, promote the tranquility, and increase the happiness and prosperity of this great Commonwealth.

FITZHUGH LEE.

APPENDIX TO THE GOVERNOR'S MESSAGE.

TABLE NO. 1—*Estimate of the Annual Expenses of the State Government.*

Salaries of officers and employees of the government		$116,461 30
Contingent expense of basement officers and Attorney-General		5,245 00
Contingent expense of courts		25,000 00
Commissioners of the revenue, commissions and stationery		50,000 00
Public printing:		
1883–4	$29,761 45	
1884–5	19,061 34	
1885–6	29,454 12	
1881–2	27,141 02	25,000 00
1882–3	18,420 90	
Registration of births, deaths and marriages		6,500 00
Civil contingent fund		10,000 00
Civil prosecutions		2,500 00
Commissioner of Agriculture		5,000 00
Penitentiary		30,000 00
Printing records of court of appeals		500 00
Labor on public grounds		1,000 00
Reporter to court of appeals		1,200 00
Virginia Reports, paper and binding		3,000 00
Vaccine agent		675 00
Militia—Adjutant-General's salary		600 00
Military contingent fund		500 00
Military fund		10,500 00
Criminal charges		225,000 00
Oyster law, maintaining fleet, &c		15,000 00
Repairs to public buildings		2,500 00
Lunatics in jail and in care of individuals, commissions of lunacy, &c		20,000 00
Fuel, ice and gas for State offices		2,500 00
Reassessment of lands, occurring once in five years, $50,000, equal annually to		10,000 00
Total annual expense of government, not including eleemosynary institutions and institutions of learning,		$568,681 30

Annuities to Eleemosynary Institutions:		
Deaf, dumb and blind institution	35,000 00	
Central lunatic asylum	60,000 00	
Eastern " "	75,000 00	
Western " "	85,000 00	
Southwestern "	50,000 00	
Soldiers' Home—R. E. Lee Camp	10,000 00	
		315,000 00
Annuities to Institutions of Learning:		
Female Normal School, Farmville	10,000 00	
Medical College	1,500 00	
University of Virginia	40,000 00	
Virginia Milltary Institute	30,000 00	
Virginia Normal and Collegiate Institute	20,000 00	
		101,500 00
Public Schools:		
School warrants	630,000 00	
(1.) Arrearages due schools and arrears of interest due literary fund, which belong to public schools	200,000 00	
		830,000 00
(2.) General Assembly		50,000 00
Total regular expenses of government not including interest on State debt		1,865,181 30
Expense other than Regular:		
Fish preservation	4,000 00	
(3.) Aid to disabled soldiers	45,000 00	
		49,000 00
Estimated annual expenses of government, not including interest		1,914,181 30
(4.) *Interest on State bonds held by institutions of learning, which bonds, it is supposed, will not be funded into Riddleberger's		142,270 07
		$2,056,451 37

(1.) This sum of $200,000 will be appropriated yet for five years to complete the payment of arrearages.

(2.) The cost of legislation since December 1, 1881, has been $327,559.05, averaging $65,511.81 per annum.

(3.) It takes $225,000 to give $60 to each disabled soldier; if aid is given once in five years it averages $45,000 per year.

(4.) If these bonds are not funded, and all other indebtedness of the State is funded into Riddleberger bonds, the interest on Riddles will be $654,374.36 per annum.

TABLE NO. 2—ESTIMATED ANNUAL RECEIPTS *from all sources of revenue, based upon the assessment of taxes of 1886.*

Banks—assessment of 1886			$28,299 71
Capitation tax—assessment of 1886		316,293 00	
less delinquents		90,605 00	
			225,688 00
Collections in 1881–2	207,078 97		
1882–3	202,819 90		
1883–4	247,760 89		
1884–5	194,882 27		
1885–6	240,685 73		
	5)1,093,227 76		
	218,645 55	average	
Clerks of courts—assessment of 1886, $69,679.12			70,000 00
Express companies—assessment of 1886, $302.22			302 22
Fines			15,000 00
Collected in 1883–4	8,910 91		
1884–5	20,120 27		
1885–6	14,791 84		
Income—assessment of 1886, $39,111.96			39,000 00
Insurance companies			31,000 00
Collected in 1881–2	25,124 56		
1882–3	23 707 16		
1883–4	29,784 21		
1884–5	31,561 66		
1885–6	31,222 00		
	5)141,399 59		
	28,279 91	average	
Interest on State deposits, 2 per cent. on $250,000			5,000 00
Land, sale of unappropriated			500 00
Sales in 1883–4	665 45		
1884–5	302 00		
1885–6	759 58		
License other than liquor			333,000 00
Assessment of 1886	400,324 68		
Deduct sample merchants' licenses	67,000 00		
	333,324 68		
License to sewing machines			3,000 00
Collected in 1881–2	4,460 00		
1882–3	5,745 00		
1883–4	5,815 00		
1884–5	4,345 00		
1885–6	3,330 00		
Liquor license—assessment of 1886, $299,343.27			300 000 00
Notarial seals			6,500 00
Collected in 1881–2	3,926 70		
1882–3	5,634 15		
1883–4	4,720 88		
1884–5	7,370 62		
1885–6	6,539 98		
Oyster fund			20,000 00
Collected in 1885–6	20,564 89		

Personal property tax		325,000 00
Assessment of 1886	336,365 60	
Less insolvents	10,832 13	
	325,533 47	
Penitentiary, hire of convicts paid into the treasury		15,000 00
Railroads—assessment 1886, for support of government and schools.		141,755 15
Railroads—assessment 1886, to pay railroad commissioner's salary and expense of office		4,100 00
Register of Land office, fees		200 00
Real estate tax		1,017,130 76
Assessment of 1886	1,029,936 44	
Less delinquents	42,805 68	
	987,130 76	
Add delinquents to be collected by sales or otherwise	30,000 00	
	1,017,130 06	
Revenue, 5 per cent. penalty added for non-payment of taxes prior to December 1st		32,000 00
1882–3	30,626 16	
1883–4	32,846 88	
1884–5	26,229 11	
1885–6	39,278 45	
	5)162,491 50	
	32,498 30 average	
Secretary of the Commonwealth, fees and taxes		2,500 00
Steamboat companies—assessment 1886		1,500 00
Telegraph companies—assessment 1886		3,700 00
Weights, measures, sale of		500 00
Weighmaster of live stock—fees		1,200 00
		$2,621,875 84
Deduct estimated commissions to county treasurers		100,000 00
Commissions in 1885–6 were	101,130 14	
		$2,521,875 84

TABLE NO. 3—PUBLIC DEBT STATEMENT *from Report of Second Auditor for fiscal year ending September 30, 1887.*

PRINCIPAL.	
Amount Outstanding:	
$24,544,566 19,* which, if funded into new 3 per cent. bonds would yield	$14,003,923 75
INTEREST.	
Due July 1882 and prior.	
1,892,563 70,* which would yield, if funded	1,291,978 15
From July, 1882, to January, 1885.	
† WICKHAM AMENDMENT.	
1,901,674 85,* which would yield, if funded	1,068,556 67
$28,338,804 74, total Fundable Debt of all classes, which would yield, if funded	$16,364,453 57
The amount of new 3 per cent. bonds already issued is	7,367,554 88
Total	$23,732,008 45

Deduct amount of new 3 per cent. bonds cancelled by Acts of Legislature	535,510 68
Leaving	$23,195,497 77
Deduct amount of new 3 per cent. bonds held by Commissioners of Sinking Fund	2,280,643 60
Leaving	$20,914,854 17
Held by Board of Public Works $ 163,200 00	
Held by Literary Fund 1,179,127 28	
deduct	1,342,327 28
Leaving	$19,572,526 89

The United States Government holds $581,800 of old Virginia bonds, which are included in the above, and which, if funded with the arrears of fundable interest, would yield in new 3 per cent. bonds, included above	$548,594 00
‡The colleges and other institutions of learning of the State hold $2,409,255.85 of State, on which, by Act of March 3, 1882, full interest is paid, and which, if funded, would yield	$1,252,071 21

* See report of Second Auditor, pp.

† By the terms of this amendment all new bonds issued bear interest from the semi-annual period next preceding the date of issue; and no allowance is made for any interest maturing after January 1st, 1885. The amount thus disallowed amounts to $2,747,230.21, which includes $2,413,367 tax receivable coupons.

‡ These bonds will probably not be funded as the State pays full interest on them.

INTEREST LIABILITIES UNDER THE RIDDLEBERGER BILL.

If annual interest is allowed on *all bonds* which have been, and which may be issued, it would be	$695,904 93
If interest on bonds held by the Commissioners of the Sinking Fund is excluded, the amount would be	$627,375 62
If, in addition, interest on bonds held by Board of Public Works and Literary Fund is excluded, the amount would be	$587,205 80
If, in addition, the bonds held by United States Government are excluded, the amount would be	$570,747 99
If the bonds held by schools and colleges are not funded, and the State continues to pay interest on their face value, and the above amounts are still excluded, the annual amount would be	$675,455 17

LIST OF SCHOOLS AND COLLEGES *holding Unfunded Registered Bonds of the State of Virginia, now drawing interest on the same, included in the appropriation of $142,000.*

Dawson fund—interest paid to schools of Albemarle and Nelson counties	$ 2,052 00
Washington and Lee University	14,205 48
Virginia Military Institute	1,200 00
Emory and Henry College	36 00
Leesburg Academy	150 00
New London Academy	390 00
Randolph-Macon College	1,182 48
University of Virginia	8,916 00
Richmond College	2,641 08
Hall's Free School	288 00
Protestant Episcopal Theological Seminary	3,594 00
William and Mary College	2,094 00
School Commissioners of Prince William county	84 00

Hampden-Sidney College	5,754 20
Union Theological Seminary	8,261 70
Miller Manual Labor School	60,433 10
Virginia Agricultural and Mechanical College at Blacksburg	20,658 72
Hampton Normal and Agricultural School	10,329 36
	$142,270 07

BLACKSBURG, VA., Nov. 18th, '87.

GOVERNOR FITZHUGH LEE, *Richmond, Va.:*

DEAR SIR—In reply to yours of the 15th, I would state, that this College now has 138 matriculates, with every prospect of a large increase. We have barrack room for only 84 men, and that by placing in some rooms three students. I have been forced to rent and furnish rooms in town for the remaining students, at a great expense to the College, as stoves have to be provided, coal furnished, &c. The State is pledged to furnish quarters for 200 students, and it is to carry out this pledge that quarters are rented outside. It is useless to state to you what a severe test of discipline and system it is having students scattered all over a small village. The building now used as a barrack was originally built for the Preston & Olin Institute. It was divided into large lecture rooms; these rooms were subdivided into smaller ones, of unequal sizes, all opening on a common hall, and totally unsuited for the purposes now used.

The floors are in such a condition that they cannot be scoured without drenching the rooms below. The building cannot be properly heated. It costs from $300 to $600 to keep this old building in repair for each year.

The outer walls of this old building are good, and it is proposed to change it into a machine shop, ten thousand dollars being asked for this purpose and to purchase an engine and machinery for iron working. The present machine shop is a small wooden building, and entirely too small for the purpose.

We need barracks for 300 men; an estimate of $60,000 is made for this purpose, supplying gas, water, and proper drainage.

We have received nothing from the State since 1878. The money derived from the land grant, and which can only be used for tuition, purchase of chemicals, &c., has been used to pay the running and contingent expenses of the College.

An annual appropriation is asked of $5,000 to supply the needs of the College, purchase of fuel, janitor's fees, and necessary expenses.

The faculty consists of a President and eight Professors, of these, quarters are furnished for only five, the others drawing commutation of quarters at the rate of $150 per year.

It is proposed to build quarters for the faculty out of any surplus that may arise after building quarters for students, and out of the contingent fund.

I enclose a report of the fund received by the College since its foundation from the State and other sources.

Respectfully,

L. L. LOMAX.

STATEMENT OF FUNDS *appropriated for the Virginia Agricultural and Mechanical College by the State and County.*

By the town of Blacksburg and the Preston and Olin Institute,	$10,000
Montgomery county	20,000
Legislature of 1873-'4	15,000
" 1874-'5	15,000
" 1875-'6	15,000
" 1876	16,250
" 1877-'8	10,833
Total	$102,083

VALUE OF REAL ESTATE, &C.

Campus, purchase price	$ 8,000
Farm, purchase price	22,000
Buildings cost	60,400
Chemical Labratory	1,500
Machine shop and contents	7,500
Physical Labratory	600
Agricultural implements and live stock	6,000
Library	2,000
Total	$108,360

The difference in value of real estate, &c., and the amount of money received, arises from the expenditure, contrary to law, of the land grant fund. This fund has also paid all the contingent expenses of the College. The funds from the county and State were used for the purchase of the real estate and for the buildings, whose value is given.

On motion of Mr. POLLARD, the message was passed by and ordered to be printed.

The following were presented and referred, under Rule 37:

By Mr. ECHOLS: A bill in relation to the immediate commitment of insane persons to the asylums of this commonwealth upon their acquittal in any prosecution on the ground of insanity. Referred to the committee for courts of justice.

By Mr. HAY: A bill to provide for the payment of witnesses, physicians and justices of the peace in certain cases. Referred to the committee for courts of justice.

By Mr. STARKE: A bill to provide and establish a chancery court for the city of Norfolk. Referred to the committee for courts of justice.

By Mr. EDWARDS: Petition of members of the bar of the city of Norfolk for the establishment of a chancery court in said city. Referred to the committee for courts of justice.

By Mr. TREAT: A bill to protect the fish in the waters of the Mattaponi, Pamunky and York rivers. Referred to the committee on the Chesapeake and its tributaries.

By Mr. TREAT: A bill repealing an act to protect the fish in the waters of the Mattaponi and Pamunky rivers. Referred to the committee on the Chesapeake and its tributaries.

By Mr. STARKE: A bill to incorporate the Great Southern railway company. Referred to the committee on roads and internal navigation.

By Mr. HAY: A bill to regulate commerce in the State of Virginia. Referred to the committee on roads and internal navigation.

By Mr. STARKE: A bill to amend and re-enact sections two and three of an act entitled, "an act to incorporate the Chowan and Southern railroad company," approved May 5, 1887, and to authorize the stock-holders of said company to change its name to the Norfolk and Carolina railroad company. Referred to the committee on roads and internal navigation.

By Mr. WADDILL: A bill to establish a bureau of labor and the office of labor commissioner for the commonwealth of Virginia, and to define the duties of such commissioner. Referred to the committee on labor and the poor.

By Mr. POLLAND: A bill to amend section 33 of chapter 450, of Acts 1883–'4, in regard to the tax on peddlers. Referred to the committee on finance.

By Mr. WADDILL: A bill to appropriate money to preserve and care for graves of Confederate dead at Oakwood cemetery, in the county of Henrico. Referred to the committee on finance.

On motion of Mr. WEBB the House adjourned until to-morrow at twelve o'clock M.

THURSDAY, DECEMBER 8, 1887.

Prayer by Rev. Dr. Moses D. Hoge, of the Presbyterian church.

The Journal was read by the clerk.

Mr. I. V. HERRING, delegate elect from the counties of Chesterfield and Powhatan and the city of Manchester, was sworn in by the clerk.

Mr. RYAN offered the following concurrent resolution:

Resolved (the Senate concurring), That in the printing of all bills hereafter introduced, which are intended as amendments to the now existing laws, the words intended as the amendments shall be printed in italics; and to enable the printer to carry out the provisions of this resolution, the patron of the bill will indicate the words intended as the amendment by underscoring them.

The House refused to refer the resolution to a committee. The resolution was agreed to.

Mr. RYAN moved to reconsider the vote, by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. RYAN carry the resolution to the Senate, and request their concurrence.

Mr. POLLARD offered the following concurrent resolution:

Whereas the Governor in his annual message has called the attention of the General Assembly to the fact that the capitol building is inadequate to furnish rooms for the necessary offices of the government, and that, by reason of the fact of storage of large quantities of books in the library and other parts of the building, such immense weight has been accumulated as to jeopardize life, and that there is a fund which has been set apart for the purpose of erecting a library building; and whereas the committees of the General Assembly are without adequate or convenient rooms in which to meet: therefore, be it

Resolved (the Senate concurring), That a committee consisting of two on the part of the Senate, and three on the part of the House of

Delegates, be appointed to take the whole subject of the erection of a library building into consideration, including the plan, location and price of such a structure as would furnish the State with a safe, suitable and commodious building for library and other purposes.

The House refused to refer the resolution to a committee. The resolution was agreed to.

Ordered, That Mr. POLLARD carry the resolution to the Senate, and request their concurrence.

Mr. COLEMAN offerred the following concurrent resolution:

Resolved by the House of Delegates (the Senate concurring), That the senators from Virginia be instructed, and our representatives in the Congress of the United States be requested to use their best efforts to secure the repeal, at an early day, of the entire internal revenue system of taxation, and failing in that, to secure, if possible, the repeal of so much of said system as imposes a tax upon tobacco in any of its forms, and upon spirits distilled from fruits.

The House refused to refer the resolution to a committee.

Mr. HAY moved to amend the resolution by striking out the words "of the entire internal revenue system of taxation," which was rejected.

The resolution was agreed to—yeas 90; nays 1.

On motion of Mr. WADDILL the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, John A. Brown, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Evans, Ewell, Figgatt, Flood, Gordon, Graves, A. W. Harris, J. S. Harris, Herring, Hobson, Huffman, Jarratt, Jones, Johnson, Kincheloe, Leggett, Loving, Magruder, McCandlish, McClintic, McKee, Montague, J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Pollard, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins, Williams, Wright, Young—90.

NAYS—A. Moore, Jr.—1.

Mr. BUFORD moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

On motion of Mr. BUFORD,

Resolved, That the use of the hall of the House of Delegates for to-morrow evening be granted to the Hon. Sir John Hambleton, Hon. Halley Stuart, and the Hon. Wm. Randall Cremer, members of the British Parliament, for the presentation of their views on the subject of international arbritration.

The SPEAKER laid before the House a communication from the auditor of public accounts, in relation to applications for aid as a disabled soldier or marine, which have been approved. (Document No. 2.)

The following were presented and referred under rule 37:

By Mr. McCANDLISH: A bill to exempt from taxation twenty-five hundred dollars worth of property of persons laboring under extreme physical dismemberment. Referred to the committee on finance.

By Mr. BRISTOW: Petitions of citizens residing on Rappahannock river praying that the law regulating the measurement of oysters bought and sold in the shell be amended. Referred to the committee on the Chesapeake and its tributaries.

By Mr. BRISTOW: A bill to amend and re-enact section 15 of an act entitled an act for the preservation of oysters, and to obtain revenue therefrom for the privilege of taking them in the waters of the commonwealth, approved March 4th, 1884. Referred to the committee on the Chesapeake and its tributaries.

By Mr. ECHOLS: A bill for the protection and benefit of owners and keepers of stallions and bulls in the State of Virginia. Referred to the committee on propositions and grievances.

By Mr. STARKE: Petition of Richard D. James, contesting the right of P. W. SCOTT to a seat in the House of Delegates as a delegate from Goochland county. Referred to the committee on privileges and elections.

By Mr. PARR: A bill to authorize the school trustees of Patrick county, to use county school funds for district school purposes. Referred to the committee on schools and colleges.

On motion of Mr. HUFFMAN, the House adjourned until to-morrow at twelve o'clock M.

FRIDAY, DECEMBER 9, 1887.

Prayer by Rev. W. A. Campbell, of the Presbyterian church.

On motion of Mr. CRISMOND, the reading of the Journal was dispensed with.

Mr. RYAN offered the following concurrent resolution:

Resolved (the Senate concurring), That the two houses of the General Assembly will proceed on this day, at half past twelve o'clock P. M., to elect an auditor of public accounts, second auditor, treasurer, secretary of the commonwealth, railroad commissioner, superintendent of public printing, superintendent of the penitentiary, and commissioner of agriculture; and this shall be the order and continuing order until completed.

—Which was agreed to.

Mr. RYAN moved a reconsideration of the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. RYAN carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Moore, who informed the House that the Senate had agreed to the resolution.

On motion of Mr. DABNEY,

Resolved, That the secretary of the commonwealth be requested to furnish each member of the House of Delegates, on application, with a copy of the Code of 1873 and with one copy of each of the published volumes of the Acts of Assembly since the date of said Code, to be returned to the secretary of the commonwealth at the end of the present session.

On motion of Mr. HAY,

Resolved, That when this House adjourns to-day, it adjourns to meet on Monday next, at twelve o'clock M.

Mr WADDILL offered the following resolution:

Whereas, the recent message of the President of the United States, under pretext of revenue reform, practically recommends free trade in this country, which would in effect break up our manufacturing industries, paralyze the business interests of the country generally, and pauperize the laboring classes; and,

Whereas, the adoption of such a policy would be specially detrimental to the material interests of Virginia; therefore,

Be it resolved by the House of Delegates (the Senate concurring), That our senators in Congress be directed, and our representatives be requested to oppose any and all measures looking to the reduction of the tariff duties of the country whereby the busines and material interests of Virginia would be injuriously affected, and, especially, that they be requested to oppose all measures looking to the removal of the duty upon such raw materials as iron-ore, coal, lumber, sumac, wool and other products of Virginia.

The House referred the resolution to the committee on federal relations and resolutions—yeas 57; nays 36.

On motion of Mr. WADDILL the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Barbour, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—57.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Corbett, Craft, Daingerfield, Dickey, Evans, A W. Harris, Herring, Jarratt, Jones, Martin, McCandlish, McClintic, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb, Young—36.

On motion of Mr. BUFORD, the privileges of the floor were extended to Hon. Halley Stewart, Hon. John Hamilton and Hon. William R. Cremer, members of Parliament.

The following were presented and referred under rule 37:

By Mr. SCOTT: Resolution to instruct the committee on finance to inquire into the expediency of providing compensation for widows and orphans of Confederate soldiers who died or were killed during the war. Referred to the committee on finance.

By Mr. PARR: A bill to provide commutations for maimed soldiers. Referred to the committee on finance.

By Mr. DICKEY: A bill relating to the working of roads in the counties of Grayson and Patrick. Referred to the committee on counties, cities and towns.

By Mr. KINCHELOE: A bill to amend the second section of an act to incorporate Warrenton and Marshall road company. Referred to the committee on counties, cities and towns.

By Mr. WILKINS: A bill to allow George R. Dolby and Laban J. Belote to erect a wharf at Nassowattux creek in Northumberland county. Referred to the committee on counties, cities and towns.

By Mr. EDWARDS: A bill to incorporate the Chesapeake street railway. Referred to the committee on roads and internal navigation.

By Mr. STARKE: A bill to incorporate the Hampton and Old Point railway company. Referred to the committee on roads and internal navigation.

By Mr. COLEMAN: A bill to incorporate the Danville and Great Western railroad company. Referred to the committee on roads and internal navigation.

By Mr. TYLER of *Richmond city:* A bill to incorporate the Confederate soldiers and sailors' monument association. Referred to the committee on propositions and grievances.

By Mr. ROBINSON: A bill entitled an act to incorporate the Newport News cemetery company. Referred to the committee on propositions and grievances.

By Mr. TYLER of *Richmond city:* A bill to incorporate the Virginia Mechanics' Institute and for other purposes. Referred to the committee on manufactures and mechanic arts.

By Mr. BROWN of *Nansemond:* A bill to amend and re-enact section 1170 of the Code of Virginia for 1887, in relation to banks of discount and deposit. Referred to the committee for courts of justice.

By Mr. WADDILL: A bill to amend and re-enact section 5 of chapter 115 of the Code of 1873, as amended by an act approved March 31st, 1875, and as amended by an act approved March 17th, 1884, relating to mechanics' liens.

The hour of half past twelve o'clock P. M. having arrived,

Ordered, That Mr. FIGGATT inform the Senate that the House is ready on its part to proceed to the execution of the joint order.

A message was received from the Senate by Mr. Jones, who informed the House that the Senate is ready on its part to proceed to the execution of the joint order.

Mr. GORDON nominated Morton Marye for the office of auditor of public accounts.

Mr. CORBETT nominated Lewis McKenzie.

Ordered, That Mr. GORDON inform the Senate that Morton Marye and Lewis McKenzie are in nomination before the House.

A message was received from the Senate by Mr. Moore, who informed the House that Morton Marye and Lewis McKenzie are in nomination in the Senate.

The roll was called with the following result:

For Morton Marye, - - - -	60
Lewis McKenzie, - - -	32

The vote was recorded as follows:

For MORTON MARYE—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmonson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—60.

For LEWIS MCKENZIE—Ash, Bristow, Goodman Brown, John. A. Brown, Corbett, Craft, Daingerfield, Dickey, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, McCandlish, McClintic, McKee, Montague, Wm. L. Moore, Phillips, Porter, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb, Young—32.

The SPEAKER appointed Messrs. CRISMOND, SAUNDERS and CORBETT the committee on the part of the House to count and report the joint vote.

The committee subsequently, by its chairman, reported as follows:

Whole number of votes cast, - -	127
Necessary to a choice, - - -	64
Morton Marye received - - -	84
Lewis McKenzie - - - -	43

Morton Marye having received a majority of the whole number of votes cast, was declared duly elected auditor of public accounts for the term prescribed by law.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate had agreed to a concurrent resolution as follows:

Resolved (the House of Delegates concurring), That in the further execution of the joint order, the roll shall be called for each officer to be elected; after which a joint committee shall be appointed, consisting of two members of the Senate and three members of the House, who shall report the result of the election to their respective Houses.

—In which they respectfully request the concurrence of the House.

The resolution was agreed to.

Ordered, That Mr. TYLER of *Richmond city*, inform the Senate that the House had agreed to the resolution.

Mr. POLLARD nominated F. G. Ruffin for the office of second auditor.

Mr. HARRIS of *Dinwiddie*, nominated J. E. Harris, of Prince Edward.

Ordered, That Mr. POLLARD inform the Senate that F. S. Ruffin and J. E. Harris are in nomination in the House.

A message was received from the Senate by Mr. Heaton, who informed the House that F. G. Ruffin and J. E. Harris are in nomination in the Senate.

The roll was called with the following result:

For F. G. Ruffin,	- - - -	59
J. E. Harris,	- - - -	32

The vote was recorded as follows:

For F. G. RUFFIN—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Carter, Catlett, Coleman, Buford, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, J. S. Harris, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—59.

For JAS. E. HARRIS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Corbett, Craft, Daingerfield, Evans, A.W. Harris, Herring, Jarratt, Jones, Martin, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Roane, Robinson, Scott, Spencer, Tinsley, Treat, Waddill, Webb, Young—32.

Mr. ANDERSON of *Rockbridge*, nominated A. W. Harman, Jr., of the county of Rockbridge, for treasurer.

Mr. WEBB nominated D. Sheffy Lewis, of the county of Rockingham.

Ordered, That Mr. ANDERSON of *Rockbridge*, inform the Senate that A. W. Harman, Jr., and D. Sheffy Lewis are in nomination in the House.

A message was received from the Senate by Mr. Jones who informed the House that A. W. Harman, Jr., and D. Sheffy Lewis are in nomination in the Senate.

The roll was called with the following result:

For A. W. Harman, Jr.,	- - -	60
D. Sheffy Lewis,	- -	31

The vote was recorded as follows:

For A. W. HARMAN, JR.—Messrs Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—60.

For D. SHEFFY LEWIS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Corbett, Craft, Daingerfield, Dickey, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Robinson, Sanger, Scott, Tinsley, Treat, Webb, Young—31.

Mr. EDMONDSON nominated H. W. Flournoy for the office of secretary of the commonwealth.

Mr. YOUNG nominated W. J. Kilgore, of Wise.

Ordered, That Mr. EDMONDSON inform the Senate that H. W. Flournoy and W. J. Kilgore are in nomination in the House.

A message was received from the Senate, by Mr. Rhea, who informed the House that H. W. Flournoy and W. J. Kilgore are in nomination in the Senate.

The roll was called, with the following result:

For H. W. Flournoy,	-	-	-	59
W. J. Kilgore,	-	-	-	31

The vote was recorded as follows:

For H. W. FLOURNOY—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—59.

For W. J. KILGORE—Messrs. Ash, Baskerville, Bristow, Goodman Brown, Craft, Daingerfield, Dickey, Evans, Herring, Jarratt, Jones, Martin, McCandlish, McClintic, McNeil, Montague, William L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Robinson, Sanger, Spencer, Tinsley, Treat, Webb and Young—31.

Mr. DABNEY nominated J. C. Hill, of Albemarle, for the office of railroad commissioner.

Mr. MCCANDLISH nominated G. A. Martin, of Norfolk county.

Ordered, That Mr. DABNEY inform the Senate that J. C. Hill and G. A Martin are in nomination in the House.

A message was received from the Senate by W. Gordon, who informed the House that J. C. Hill and D. S. Ruggles are in nomination in the Senate.

The vote was called with the following result:

For J. C. Hill,	-	58
G. A. Martin,	-	53

The vote was recorded as follows:

For J. C. HILL—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—58.

For G. A. MARTIN—Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Daingerfield, Dickey, Evans, A. W. Harris, Herring, Jarratt, Jones, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb, Young—33.

Mr. CARTER nominated J. H. O'Bannon, of Richmond city, for the office of superintendent of public printing.

Mr. TINSLEY nominated R. F. Walker, of Richmond city.

Ordered, That Mr. CARTER inform the Senate that J. H. O'Bannon and R. F. Walker are in nomination in the House.

A message was received from the Senate by Mr. Ellyson, who informed the House that J. H. O'Bannon and R. F. Walker are in nomination in the Senate.

The roll was called with the following result:

For J. H. O'Bannon,	-	60
R. F. Walker,	-	33

The vote was recorded as follows:

For J. H. O'BANNON—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—60.

For R. F. WALKER—Messrs. Ash, Baskerville, Bristow, John A. Brown, Corbett, Daingerfield, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—33.

Mr. SAUNDERS nominated W. W. Moses, of Pittsylvania, for the office of superintendent of the penitentiary.

Mr. MCNEIL nominated J. P. Profitt, of Floyd.

Ordered, That Mr. SAUNDERS inform the Senate that W. W. Moses and J. P. Profitt are in nomination in the House.

A message was received from the Senate by Mr. Arthur, who informed the House that W. W. Moses and J. P. Profitt are in nomination in the Senate.

The roll was called with the following result:

For W. W. Moses,	-	-	-	-	59
J. P. Profitt,	-	-	-	-	31

The vote was recorded as follows:

For W. W. MOSES—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—59.

For J. P. PROFITT—Messrs. Ash, Bristow, Goodman Brown, John A. Brown, Corbett, Craft, Evans, A. W. Harris, Herring, Jarratt, Martin, McCandlish, McClintic, McNeil, Montague, William L. Moore, Parr, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, Waddill, Webb and Young—31.

Mr. LOVING nominated Thos. Whitehead, of Amherst, for the office of commissioner of agriculture.

Mr. ASH nominated Meredith Watson, of Nottoway.

Ordered, That Mr. LOVING inform the Senate that Thos. Whitehead and Meredith Watson are in nomination in the House.

A message was received from the Senate by Mr. Berry who informed the House that Thos. Whitehead and Meredith Watson are in nomination in the Senate.

The roll was called with the following result:

For Thos. Whitehead,	-	-	-	57
Meredith Watson,	-	-	-	31

The vote was recorded as follows:

For THOS. WHITEHEAD—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton,

Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—57.

For MEREDITH WATSON—Messrs. Ash, Baskerville, Bristow, Goodman Bown, John A. Brown, Corbett, Craft, Daingerfield, Evans, A. W. Harris, Herring, Jarratt, Jones, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Riner, Roane, Robinson, Sanger, Scott, Spencer, Treat, Waddill and Young—31.

The SPEAKER appointed Messrs. CRISMOND, SAUNDERS and CORBETT the committee on the part of the House to count and report the joint vote.

The committee subsequently, by its chairman, reported as follows:

For second auditor:

Whole number of votes cast,	125
Necessary to a choice,	63
F. G. Ruffin received	82
J. E. Harris,	43

For treasurer:

Whole number of votes cast,	126
Necessary to a choice,	64
A. W. Harman, Jr., received	83
D. Sheffy Lewis,	43

For secretary of the commonwealth:

Whole number of votes cast,	122
Necessary to a choice,	62
W. W. Flournoy received	82
W. J. Kilgore,	40

For railroad commissioner:

Whole number of votes cast,	125
Necessary to a choice,	63
J. C. Hill received	81
G. A. Martin,	43
D. S. Ruggles,	1

For superintendent of public printing:

Whole number of votes cast,	127
Necessary to a choice,	64
J. H. O'Bannon received	82
R. F. Walker,	45

For superintendent of the penitentiary:

Whole number of votes cast,	123
Necessary to a choice,	62
W. W. Moses received	80
J. P. Profitt,	43

For commissioner of agriculture:

Whole number of votes cast,	122
Necessary to a choice,	63
Thomas Whitehead received	79
Meredith Watson,	43

F. G. Ruffin, A. W. Harman, Jr., H. H. Flournoy, J. C. Hill, J. H. O'Bannon, W. W. Moses and Thomas Whitehead having each received a majority of the whole number of votes cast, were declared duly elected second auditor, treasurer, secretary of the commonwealth, railroad commissioner, superintendent of public printing, superintendent of the penitentiary and commissioner of agriculture, respectively, for the terms prescribed by law.

On motion of Mr. Dupuy, the House adjourned until Monday next at twelve o'clock M.

MONDAY, DECEMBER, 12, 1887.

Mr. ECHOLS in the chair at the request of the SPEAKER.

On motion of Mr. HUFFMAN the reading of the Journal was dispensed with.

A communication from the Senate by their clerk was read as follows:

In Senate, December 12, 1887.

The Senate have agreed in the House joint resolution relative to the printing of bills.

Mr. MCNEIL moved a suspension of the rule to enable him to place on the calendar a resolution in relation to the Blair bill, which motion was rejected—yeas 25; nays 45.

On motion of Mr. TREAT the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Corbett, Daingerfield, Dickey, Herring, Jones, Martin, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Sanger, Treat, Webb, Young—25.

NAYS—Messrs. D. W. Anderson, W. A. Anderson, Baldwin, Barbour, Carter Coleman, Crawford, Curtis, Dabney, Echols, Edmondson, Edwards, Figgatt' Flood, Gordon, Graves, Hay, Hobson, Huffman, Johnson, Kincheloe, Leggett' Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—45.

The resolution was referred to the committee on federal relations and resolutions.

The following were presented and referred under rule 37:

By Mr. WEBB: A bill to amend and re-enact section 18, chapter 187, Code of 1873, in regard to rape. Referred to the committee for courts of justice.

By Mr. TREAT: A bill authorizing the clerk of King William county to transcribe and render the mutilated records of the county. Referred to the committee for courts of justice.

By Mr. PEDIGO: A bill to take the vote on the question of a convention to revise and amend the constitution. Referred to the committee for courts of justice.

By Mr. MAGRUDER: Joint resolution in relation to the public debt. Referred to the committee on finance.

By Mr. MUSTAIN: A bill for the relief of soldiers' widows. Referred to the committee on finance.

By Mr. MCCANDLISH: A bill to prevent fraud in the sale of land. Referred to the committee on propositions and grievances.

By Mr. MCNEIL: Resolution in relation to the Blair bill. Referred to the committee on federal relations and resolutions.

By Mr. HAY: A bill to provide for the establishment of a reformatory for youthful criminals in Virginia. Referred to the committee on asylums and prisons.

By Mr. TAYLOR of *Prince William:* Resolution asking for a committee to confer with the governor for information as to his recommendation for abolishing the land office. Referred to the committee on officers and offices of the capitol.

By Mr. WRIGHT: Resolved by the House of Delegates (the Senate concurring), That in view of the present languishing condition of the farming interest all over the State, a special committee of eight, five from the House and three from the Senate, be appointed to inquire into the expediency of reducing the pay of every civil officer in the State, whether the amount of said pay is conditioned upon the amount of work done or is given as a stated salary. Referred to the committee on retrenchment and reform.

On motion of Mr. WILKINS, the House adjourned until to-morrow at twelve o'clock M.

TUESDAY, DECEMBER 13, 1887.

On motion of Mr. WILKINS, the reading of the Journal was dispensed with.

R. P. HUNTER, delegate elect from the county of Campbell and city of Lynchburg, was sworn in by the clerk.

Mr. RYAN offered the following concurrent resolution:

Resolved (the Senate concurring), That the two houses will proceed on Tuesday next, at one o'clock P. M., to elect a senator to the Congress of the United States, according to the provisions of the act of Congress, for the term of six years, commencing on March 4th, 1889.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. RYAN moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. RYAN carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Moore, who informed the House that the Senate had agreed to the resolution.

Mr. FIGGATT offered the following resolution:

Resolved, That that portion of the governor's message relating to "debt legislation" be referred to the committee on finance with instructions to report thereon as early as practicable.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. CATLETT offered the following resolution:

Resolved, That the committee on officers and offices at the capitol consider at once so much of the governor's message as refers to the office of "register of the land office," and report as soon as practicable (by bill or otherwise) whether it is expedient or not to abolish said office.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. DABNEY moved a suspension of the rule to have placed on the calendar a joint resolution directing the attorney-general to bring suit against F. S. Blair, late attorney-general, to recover amounts illegally drawn by him from the treasury; which motion was rejected—yeas 55; nays 32 (not two thirds voting in the affirmative).

On motion of Mr. FIGGATT, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—55.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, McCandlish, Montague, Wm. L. Moore, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Tinsley, Treat, Webb and Young—32.

The joint resolution was referred to the committee for courts of justice.

Mr. HAY moved a suspension of the rule to have placed on the calendar a bill to amend and re-enact sections 4202, 4203 and 4204 of the act entitled an act to revise, arrange and consolidate into a code the general statutes of the commonwealth, approved May 16, 1887; which motion was rejected.

The bill was referred to the committee for courts of justice.

Mr. HAY offered the following resolution:

Resolved by the House of Delegates (the Senate concurring), That all bills and resolutions providing for any changes in the Code of Virginia, adopted by the General Assembly at its last session, shall be referred to the committee for courts of justice of that House, in which such bill or resolution shall be introduced, and it shall be the duty of the committees of courts of justice of each house to confer with the revisers of the Code, receive from them any suggestions they may make in relation to the Code, and from time to time report the same to the General Assembly.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. HAY moved a reconsideration of the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. HAY carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Blackstone, who informed the House that the Senate had agreed to the resolution.

Mr. GORDON offered the following joint rules in relation to the election of a senator in Congress:

RULES

For the government of the Senate and House of Delegates when convened in Joint Assembly for the election of a Senator in Congress:

1. At the hour fixed for the meeting of the Joint Assembly, the senators, accompanied by the PRESIDENT of the Senate and the clerk of the Senate, shall proceed to the hall of the House of Delegates, and shall be received by the delegates standing. The SPEAKER shall vacate his chair, which shall be taken by the PRESIDENT of the Senate. Appropriate seats shall be assigned to the senators by the sergeant-at-arms of the House.

2. The PRESIDENT of the Senate shall be the president of the Joint Assembly, in case it shall be necessary for him to vacate the

chair, his place shall be taken by the SPEAKER of the House, or in case of his absence, by such members of the Joint Assembly as the PRESIDENT may designate.

3. The clerk of the House shall be the clerk of the Joint Assembly, and shall be assisted by the clerk of the Senate. He shall enter the proceedings of the Joint Assembly in the Journal of the House, and shall certify the same to the clerk of the Senate, who shall also enter them on the Journal of the Senate.

4. The sergeant-at-arms, doorkeepers and pages of the House shall act as such for the Joint Assembly.

5. The rules of the House of Delegates, so far as applicable shall be the rules of the Joint Assembly.

6. When the Joint Assembly first meets, as provided by the acts of Congress, the Journal of the Senate and House of Delegates for the preceding day shall be read. If, when the Journals shall be read, it shall appear that the same person shall have received a majority of the votes in each house for the senator, the result shall be declared by the PRESIDENT.

7. If no person shall have received a majority in each house, the Joint Assembly shall then proceed to vote *viva voce* for a senator, as provided in the act of Congress; and no motion for adjournment shall be in order on any day until at least one such vote shall have been taken.

8. In calling the roll of the Joint Assembly the names of the senators shall be called first in alphabetical order, and then the names of the delegates in like order, except that the name of the SPEAKER of the House shall be called last.

9. When the election shall be made as required, the Joint Assembly shall adjourn *sine die*, and the result shall be certified by the PRESIDENT and clerk of the Joint Assembly to the governor.

10. If no election shall be made, the Joint Assembly, when it adjourns, shall adjourn to meet at twelve o'clock M. on the succeeding day.

11. If when the Joint Assembly meets, it shall be assertained that a majority of each house is not present, the Joint Assembly may take measures to secure attendance of absentees, or adjourn until the succeeding day, as a majority of them present may determine.

12. When the Joint Assembly adjourns, the senators, accompanied by the PRESIDENT of the Senate and clerk of the Senate, shall return to their chamber. The SPEAKER of the House shall resume the chair, and the business of the House shall be proceeded with in the same order as when it was interrupted by the entrance of the senators.

The House refused to refer the joint rules to a committee.

The joint rules were agreed to.

Mr. GORDON moved to reconsider the vote by which the joint rules were agreed to; which motion was rejected.

Ordered, That Mr. GORDON carry the joint rules to the Senate and request their concurrence.

A message was received from the Senate by Mr. Moore, who informed the House that the Senate had agreed to the joint rules.

The following were presented and referred under rule 37:

By Mr. TYLER of *Richmond city:* A bill to incorporate the Old Point, Hampton and Newport News railway company. Referred to the committee on roads and internal navigation.

By Mr. ROBERTS of *Washington county:* A bill to incorporate the Bristol and South Atlantic railroad company. Referred to the committee on roads and internal navigation.

By Mr. Starke: A bill to amend and re-enact an act to amend and re-enact section 1 of an act entitled an act to confirm a law passed by the Legislature of North Carolina entitled an act to incorporate the Elizabeth City and Norfolk railroad company, now the Norfolk Southern railroad company, ratified the 20th day of January, 1870, and an act supplemental thereto, ratified the 24th day of January, 1872, and approved on the 23d day of February, 1875; approved on the 3d day of March, 1882. Referred to the committee on roads and internal navigation.

By Mr. WADDILL: A bill to amend and re-enact section 3 of chapter 19 of the Criminal Code (Acts of 1877–'78) in relation to pay of physicians in certain cases. Referred to the committee for courts of justice.

By Mr. DABNEY: A bill to amend and re-enact section 2042 of the Code of 1887 in relation to trespass by cattle, &c. Referred to the committee for courts of justice.

By Mr. RYAN: A bill to authorize the board of supervisors of Loudoun county to borrow money to build a jail. Referred to the committee on counties, cities and towns.

By Mr. ALLENSWORTH: A petiton of citizens of Caroline county praying an amendment to the present road law. Referred to the committee on counties, cities and towns.

By Mr. PARR: Joint resolution in relation to public roads in the commonwealth of Virginia. Referred to the committee on counties, cities and towns.

By Mr. MORTON: A bill to amend and re-enact section 4 of an act entitled an act to regulate the practice of medicine and surgery, approved January 31, 1884. Referred to the committee on propositions and grievances.

By Mr. WILKINS: A bill to allow the Eastern Shore steamboat company, of Maryland, to acquire, hold and dispose of a certain tract of land in Northampton county, Virginia. Referred to the committee on propositions and grievances.

By Mr. GORDON: A bill to re-enact section 9 of an act approved February 21, 1882, entitled an act to incorporate the Fanquin and Rappahannock railroad company as amended. Referred to the committee on propositions and grievances.

By Mr. TREAT: Resolution directing the printing of the petition and depositions in contested election case. Love *vs.* Overby. Referred to the committee on privileges and elections.

By Mr. TREAT: Petition of D. R. Love contesting seat of J. W. Overby, of Lunenburg. Referred to the committee on privileges and elections.

On motion of Mr. CRISMOND, the House adjourned until to-morrow at twelve o'clock M.

WEDNESDAY, DECEMBER 14, 1887.

Speaker CARDWELL in the chair.

On motion of Mr. DUPUY, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, December 13th, 1887.

The Senate have agreed to Senate joint resolution instructing our senators, and requesting our representatives in Congress of the United States to vote for the Blair bill, &c.; in which they respectfully request the concurrence of the House.

The Senate joint resolution is as follows:

Resolved (the House of Delegates concurring), That the senators from Virginia be instructed, and the members of the House of Representatives in Congress from Virginia be requested to vote for federal aid to public free schools, and to support the measure commonly known as the Blair bill, or some other better measure.

Was read twice, and, on motion of Mr. RYAN, was placed on the calendar.

The SPEAKER announced the following standing committees:

Privileges and Elections.—Messrs. Pollard, Ryan, Saunders, West, Hobson, Dupuy, Moore of *Pulaski and Giles*, Simpson, Mayo, Bristow, Treat, Webb and Baskerville.

Courts of Justice.—Messrs. Hay, Echols, Loving, Morton, Magruder, Watkins, Flood, Catlett, Tyler of *Richmond city*, Saunders, Moore of *Clarke and Warren*, Huffman and Waddill.

Schools and Colleges.—Messrs. Anderson of *Rockbridge*, Dupuy, Arnold, Wilkins, Pollard, Williams, Edmondson, Graves, Allensworth, Pilcher, Mayo, Daingerfield and Harris of *Dinwiddie*.

Propositions and Grievances.—Messrs. Figgatt, Pollard, Coleman, Moore of *Clarke and Warren*, Crawford, McKee, Sebrell, Kincheloe, Tyler of *Prince William*, Martin, Parr, Corbett and Ash.

Roads and Internal Navigation.—Messrs. Dabney, Ryan, Buford, Coleman, Catlett, Silver, Roberts of *Washington*, Moore of *Clarke and Warren*, Allensworth, Herbert, Young, Tinsley and Sanger.

Finance.—Messrs. Buford, Gordon, Morton, Barbour, Anderson of *Rockbridge*, Figgatt, Starke, Overby, Crismond, Watkins, Moore of *Giles and Pulaski*, Crawford, Hunter, Elam and Scott.

Claims.—Messrs. Loving, Flood, Crawford, Anderson of *Rockbridge*, Baldwin, Anderson of *Fluvanna*, Counts, Johnson, Kincheloe, Jarratt, McClintic, Pedigo and Young.

Militia and Police.—Messrs. Catlett, Leggett, Tyler of *Prince William*, Hunter, Curtis, Wright, Edmondson, Edwards, McNeil, Corbett, Browne of *Nansemond*, Quesenberry and Evans.

Asylums and Prisons.—Messrs. Echols, Carter, Magruder, Crismond, Terrell, Roberts of *Smyth and Bland*, Williams, Moore of *Giles and Pulaski*, Wilkins, Dupuy, Simpson, McCandlish and Webb.

Labor and the Poor.—Messrs. Curtis, Graves, Mustain, Baldwin, Loving, Hay, Echols, Carter, Edwards, Phillips, McCandlish, Porter and Perkins.

Public Property.—Messrs. Magruder, Huffman, Buford, Leggett, Johnson, Ewell, Roberts of *Washington*, Anderson of *Fluvanna*, Wright, Martin, Sanger, Young and Harris of *Dinwiddie.*

Banks, Currency and Commerce.—Messrs. Gordon, Tyler of *Richmond city*, Hunter, Herbert, Graves, Moore of *Clarke and Warren*, Edmondson, Sebrell, Counts, Webb, Pedigo, Moore of *Tazewell* and Robinson.

Agriculture and Mining.—Messrs. Dupuy, Silver, Harris of *Albemarle*, Overby, Tyler of *Prince William*, Allensworth, Simpson, Terrell, Wright, Craft, Parr, Porter and Riner.

Manufactures and Mechanic Arts.—Messrs. Carter, Leggett, Graves, Mustain, Harris of *Albemarle*, McKee, Anderson of *Fluvanna*, Roberts of *Washington*, Jones, Quesenberry, Treat, Roane and Perkins.

Counties, Cities and Towns.—Messrs. Ryan, Dabney, Tyler of *Richmond city*, Ewell, Crismond, West, Pilcher, Coleman, Sebrell, Herbert, Sanger, Moore of *Tazewell*, and Montague.

Officers and Offices at the Capitol.—Messrs. Wilkins, Arnold, Dabney, Smith, Kincheloe, Moore of *Pulaski and Giles*, Hay, West, Curtis, Dickey, Waddill, Elam and Evans.

Executive Expenditures.—Messrs. Arnold, Hobson, Allensworth, Counts, Terrell, Tyler of *Prince William*, Harris of *Albemarle*, Baldwin, Dickey, Corbett, Browne of *Nansemond*, Riner and Spencer.

Retrenchment and Economy.—Messrs. Huffman, McKee, Morton, Smith, Baldwin, Ewell, Pilcher, Overby, Wright, Herring, Phillips, Tinsley and Brown of *Prince George and Surry.*

Federal Relations and Resolutions.—Messrs. Barbour, Dabney, Pollard, Magruder, Catlett, Hunter, Hobson, Harris of *Albemarle*, Counts, Elam, Martin, Montague and Bristow.

Enrolled Bills.—Messrs. Crismond, Saunders, Smith, Roberts of *Smyth and Bland*, West, Tyler of *Richmond city*, Kincheloe, Sebrell, Montague, Daingerfield, McCandlish, Scott and Quesenberry.

Immigration.—Messrs. Williams, Starke, Pilcher, Mustain, Silver, Watkins, Crawford, Smith, Jarrett, Craft, Jones, Roane and Brown of *Prince George and Surry.*

Chesapeake and its Tributaries.—Messrs. Starke, Wilkins, Simpson, Curtis, Arnold, Herbert, Leggett, Johnson, Overby, Browne of *Nansemond*, Roane, Robinson and Baskerville.

House Expenses.—Messrs. Hobson, Figgatt, Loving, McClintic and Herring.

Rules.—Messrs. Speaker (*ex-officio*), Hay, Anderson of *Rockbridge*, Waddill and Spencer.

Library.—Messrs. Flood, Barbour, Watkins, Mayo and Webb.

Printing.—Messrs. Roberts of *Smyth and Bland*, Edwards and Ash.

The SPEAKER announced the following pages: J. W. Ratcliffe, A. W. Weddell, Frank Minter, T. D. Gravatt, Willie Garrett and Surry Bell.

Mr. HAY, under a suspension of the rules, offered the following resolution:

Resolved, That W. W. Moses, superintendent of the penitentiary, be instructed to report to this House, as soon as practicable, the number of criminals in the penitentiary, of both sexes, under the age of eighteen years, giving the number of each sex, and from what corporations and counties they were sent to the penitentiary, and how they are employed.

On the motion of Mr. FIGGATT, the resolution was amended by adding at the end thereof the following: "And how many of such so confined were sentenced when under eighteen years of age."

The resolution, as amended, was agreed to.

The following bills were presented and referred under rule 37:

By Mr. CRISMOND: A bill to amend and re-enact an act entitled an act to incorporate the Rappahannock valley agricultural and mechanical society of Fredericksburg. Referred to the committee on propositions and grievances.

By Mr. RYAN: A bill to incorporate the Star of Bethleham order of Gallilean fisherman. Referred to the committee on propositions and grievances.

By Mr. SEBRELL: A bill to incorporate the Farmers' independent and benevolent society of Southampton county. Referred to the committee on propositions and grievances.

By Mr. HARRIS: A bill to exempt the manufacture and sale of wines and brandies made from fruit within the county of Albemarle, from the operation of all local option or prohibition laws. Referred to the committee on finance.

By Mr. ECHOLS: A bill making an appropiation to the Eastern lunatic asylum for building purposes. Referred to the committee on finance.

By Mr. PERKINS: A bill to amend and re-enact section 11 of an act entitled an act to provide for the working of the roads in Cum-

berland county, approved May 10, 1887. Referred to the committee on counties, cities and towns.

By Mr. SANGER: A bill to amend and re-enact section 1 of chapter 50, extra session, 1884, and to amend and re-enact section 1 of chapter 377, approved March, 1886, in relation to records in the clerk's office in Rockingham county. Referred to the committee on counties, cities and towns.

By Mr. EDMONDSON: A bill to place railroad companies in which towns, cities or townships are, or become stockholders, on the same footing in hiring from the State convict labor with such companies in which counties are stockholders. Referred to the committee on roads and internal navigation.

By Mr. ARNOLD: Resolution instructing members of Congress to aid in amending postal laws of the United States, so as to eliminate wholesale and retail principles within transactions. Referred to the committee on federal relations and resolutions.

The morning hour having expired, the House proceeded to the business on the calendar.

Senate joint resolution in relation to the Blair bill came up.

Mr. WADDILL moved to amend the Senate joint resolution by striking out the words "or some other better measure;" which was rejected—yeas 32; nays 58.

On motion of Mr. MCCANDLISH, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Corbett, Craft, Daingerfield, Elam, Jarratt, Jones, Martin, McCandlish, McClintic, Montague, Wm. L. Moore, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—32.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—58.

The Senate joint resolution was read a third time and agreed to—yeas 89.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, John A. Brown, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Magruder, McCandlish, McClintic, McKee, Montague, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Pedigo, Perkins, Phillips, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger,

Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Terrell, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins, Williams, Wright and Young—89.

On motion of Mr. HAY, the House adjourned until to-morrow at twelve o'clock M.

THURSDAY, DECEMBER 15, 1887.

On motion of Mr. CRISMOND, the reading of the Journal was dispensed with.

Mr. MAYO, delegate-elect from the counties of Northumberland and Westmoreland, was sworn in by the clerk.

The following House bill, reported from the committee for courts of justice, was read a first time:

No. 1. House bill to amend and re-enact sections 4202, 4203 and 4204 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16th, 1887.

A message was received from the Senate by Mr. Heaton, who informed the House that the Senate had agreed to a joint resolution returning the thanks of the General Assembly to the Hon. Rufus A. Ayers, attorney-general of the State, John Scott, attorney for the commonwealth of Fauquier county, and J. B. McCabe, commonwealth's attorney for the county of Loudoun, for the firm stand assumed by them for having the validity tested of the late order of the United States court of the Eastern district of Virginia, made by the Hon. Hugh L. Bond, judge of the circuit; in which they respectfully request the concurrence of the House.

The Senate joint resolution was read twice.

Mr. RYAN moved a suspension of the rule requiring its reference to a committee; which motion was rejected, not two-thirds of those present voting in the affirmative.

The Senate joint resolution was referred to the committee on federal relations and resolutions.

Mr. DAINGERFIELD presented a report of John A. Parker, agent for the State of Virginia, for the collection of the claim of Virginia *vs.* the United States for advancements made for the war of 1812. (House Document No. 3.)

The report was referred to the committee on finance.

The SPEAKER, by request, transferred Mr. DICKEY from the committee on privileges and elections to the committee on executive expenditures, and Mr. TREAT from the committee on executive expenditures to the committee on privileges and elections.

Mr. MARTIN requested that he be excused from service on the committees of the House to which he had been assigned; which request the House refused to grant.

Leave of absence was granted Messrs. CORBETT, one day, and HERBERT, two days.

Mr. WADDILL offered a resolution appointing a committee to investigate the causes and circumstances of the removal from office of Randolph Harrison, commissioner of agriculture.

The SPEAKER stated that in his opinion the resolution was out of order, because in his judgment it had no connection with the duties of the House, and did not propose any investigation which was within the province of the House to make, besides the resolution stated what was not a fact as to the removal of an officer, and therefore ruled it out of order.

Mr. WADDILL appealed from the decision of the chair, the question being, shall the decision of the chair stand as the judgment of the House? was put and decided in the affirmative—yeas 53; nays 33.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Cartlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Huffman, Hunter, Johnson, Kinchloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Williams, Wright—53.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, Montague, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Treat, Waddill, Young—33.

The following were presented and referred under rule 37:

By Mr. TREAT: A resolution instructing committee on privileges and elections to have petition and depositions in contested election case of Kilgro *vs.* Leggett, and to report as early as possible. Referred to the committee on privileges and elections.

By. Mr. TREAT: Petition of James E. Kilgro, contestant, *vs.* Geo. W. Leggett. Referred to the committee on privileges and elections.

By Mr. TREAT: A resolution directing the committee for courts of justice to inquire into the expediency of providing a more efficient mode of collecting revenue from notary publics, and to report by bill or otherwise. Referred to the committee for courts of justice.

By Mr. W. A. EDWARDS: Petition of the members of the bar of Norfolk city for the re-election of Judge D. Tucker Brooke as judge of the corporation court of said city. Referred to the committee for courts of justice.

By Mr. COLEMAN: A bill for the relief of Sarah E. Reid's heirs. Referred to the committee on finance.

By Mr. DUPUY: A bill to amend and re-enact section 75, chapter 78, of the Code of 1873, in regard to unexpended school funds. Referred to the committee on schools and colleges.

By Mr. MOORE of *Clarke:* A bill for the relief of Wm. Scroggin, late treasurer of Warren county. Referred to the committee on finance.

By Mr. MUSTAIN: Petition of Sam'l T. Owen for relief from a fine imposed by the county court of Pittsylvania county. Referred to the committee on finance.

By Mr. MCCANDLISH: A bill to allow A. M. Green further time to apply to the Hustings court of Petersburg to reduce assessment on certain property in said city. Referred to the committee on finance.

By Mr. SILVER: A bill to provide for the deposit of State funds in certain cases. Referred to the committee on finance.

By Mr. ASH: A bill for the relief of Sidney S. Fowlkes, of Nottoway county, from the payment of a fine imposed by the county court of Nottoway. Referred to the committee on finance.

By Mr. STARKE: Petition of physicians of Norfolk for repeal of the clause of the act regulating the practice of medicine and surgery in Virginia, which allows applicants for examination before the medical examining board to appear during the vacation of the board before three individual examiners. Referred to the committee on propositions and grievances.

By Mr. RYAN: Petition of members of the medical profession of Loudoun county asking the Legislature to repeal that clause of an act regulating the practice of medicine and surgery in Virginia, which allows applicants for examination before examining board to appear during vacations of the board before three individual examiners. Referred to the committee on propositions and grievances.

By Mr. BARBOUR: Petition of Dr. Summerville and others in relation to the practice of medicine and surgery in Virginia. Referred to the committee on propositions and grievances.

By Mr. ROBINSON: A bill to repeal an act approved May 16, 1887, entitled an act to prohibit the use of pound and purse nets in the waters of James and Chickahominy rivers below tide-water. Referred to the committee on Chesapeake and its tributaries.

By Mr. DUPUY: A bill requiring educational institutions, receiving State appropriations, to make annual report to the board of education. Referred to the committee on schools and colleges.

By Mr. BARBOUR: A bill to amend and re-enact sections 17 and 21 of an act approved April 2, 1882, entitled an act to provide for the working of roads in the counties of Culpeper and Buckingham. Referred to the committee on counties, cities and towns.

By Mr. BARBOUR: A bill to authorize the board of supervisors of Culpeper and Orange counties to increase the salary of the judges of said counties. Referred to the committee on counties, cities and towns.

On motion of Mr. MARTIN, the House adjourned until to-morrow at twelve o'clock M.

FRIDAY, DECEMBER 16, 1887.

On motion of Mr. ANDERSON of *Rockbridge*, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, December 15, 1887.

The Senate have agreed to House joint resolution in relation to the repeal of the internal revenue system of taxation, with a substitute therefor; in which they respectfully request the concurrence of the House of Delegates.

The House joint resolution with substitute of the Senate was referred to the committee on federal relations and resolutions.

The following bill and joint resolution, reported from committee for courts of justice, were read a first time:

No. 2. House bill to amend and re-enact section 18, chapter 187, Code 1873, in regard to rape (with a recommendation that it do not pass).

No. 3. House joint resolution directing the attorney-general to bring suit against F. S. Blair, late attorney-general, to recover amounts illegally drawn by him from the treasury.

The following bills, reported from the committee on propositions and grievances, were read a first time:

No. 4. House bill to incorporate the Confederate soldiers' and sailors' monument association.

No. 5. House bill to incorporate the Farmers' independent and benevolent society of Southampton county.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 6. House bill to amend the second section of an act to incorporate the Warrenton and Marshall road company.

No. 7. House bill to allow George R. Dolby and Laban Belote to erect a wharf on Massowattux creek, in Northampton.

No. 8. House bill to authorize the board of supervisors of Loudoun county to borrow money to build a jail.

No. 9. House bill to amend and re-enact sections 17 and 21 of an act approved April 2nd, 1882, entitled an act to provide for the working of roads in the counties of Culpeper and Buckingham.

No. 10. House bill to amend section 33 of chapter 450 of acts of 1883-4, in regard to the tax on peddlers, reported from the committee on finance, was read a first time.

The following reports were agreed to:

The committee for courts of justice have, according to order, had under consideration a resolution to them referred, directing the committee for courts of justice to inquire into the expediency of pro-

viding a more efficient mode of collecting revenue from notary publics, and to report by bill or otherwise, respectfully ask to be discharged from its further consideration, and that it be referred to the committee on finance.

The committee on finance, have, according to order, had under consideration a bill to them referred, making an appropriation to the Eastern lunatic asylum for building purposes, respectfully ask to be discharged from its further consideration, and that it be referred to the committee on asylums and prisons.

Mr. FIGGATT offered the following resolution:

Resolved, That the communication of A. R. Micou, superintendent of public printing, with accompanying documents, be referred to the committee for courts of justice, with instructions to report, by bill or otherwise, what bills and petitions are required by the act approved May 23, 1887, to be printed at the expense of persons presenting such petition or bill.

The House referred the resolution to the committee for courts of justice.

On motion of Mr. POLLARD, the papers in the contested election cases of Kilgro *vs.* LEGGETT of *Princess Anne*, and Love *vs.* OVERBY of *Lunenburg*, be printed.

Mr. DABNEY, from the committee on roads and internal navigation, moved that a bill to regulate commerce in the State of Virginia be printed for the use of the committee; which motion was agreed to.

Mr. ECHOLS offered the following resolution:

Whereas, it is alleged that A. M. MCCLINTIC, who at present occupies a seat upon this floor as delegate from the district composed of the counties of Alleghany, Bath and Highland, is ineligible to hold such seat by reason of the fact that he is not a resident of said district, but is a resident of the county of Botetourt; therefore, be it

Resolved by the House of Delegates of Virginia:

1st. That the committee on privileges and elections inquire as to said ineligibility of said A. M. MCCLINTIC, and report the result thereof, with such recommendation as may be proper.

2d. That said committee be empowered to employ a stenographer, to proceed in said investigation through a sub-committee, if deemed advisable, to send for persons and papers, and sit during the recess of the General Assembly to make said investigation, in event there is an adjournment for the Christmas holidays.

The House referred the resolution to the committee on privileges and elections.

The following bills were presented and referred under rule 37:

By Mr. MOORE of *Clarke and Warren:* Petition of physicians of Henrico, Richmond city, Appomattox, Charlotte, King William and Clarke, in relation to the practice of medicine and surgery in the State of Virginia. Referred to the committee on propositions and grievances.

By Mr. EWELL: Petition asking for the repeal of the clause of the act regulating the practice of medicine and surgery in Virginia, which allows applicants for examination before the medical examining boards to appear during the vacation of the board before the individual examiners. Referred to the committee on propositions and grievances.

By Mr. WEBB: A petition of physicians of Rockingham asking for the repeal of that clause of the act regulating the practice of medicine and surgery in Virginia, which allows applicants for examination before the medical board of Virginia, to appear during the vacations of the board before three individual examiners. Referred to the committee on propositions and grievances.

By Mr. PILCHER: Petition of Messrs. Copeland, Carter, Horner and others, requesting the repeal of that clause of the act regulating the practice of medicine and surgery in the State of Virginia. Referred to the committee on propositions and grievances.

By Mr. BUFORD: A bill to prevent the pollution of drinking water in this State. Referred to the committee on propositions and grievances.

By Mr. RYAN: A bill to amend an act respecting wild game in Loudoun county, approved January 21, 1886. Referred to the committee on propositions and grievances.

By Mr. ALLENSWORTH: A bill providing compensation to trustees of public free schools. Referred to the committee on schools and colleges.

By Mr. ARNOLD: Resolution asking information from the governor in reference to Blacksburg agricultural college. Referred to the committee on schools and colleges.

By Mr. CARTER: A bill to authorize the superintendent of public buildings to employ persons to keep the walks, &c., in neat and clean condition. Referred to the committee on public property.

By Mr. MCCANDLISH: A bill to incorporate the Petersburg and Asylum railway company. Referred to the committee on roads and internal navigation.

By Mr. TREAT: A bill repealing an act approved May 23, 1887, entitled an act to amend and re-enact section 1 of an act entitled an act to protect the fish in the waters of the Mattaponi and Pamunky rivers, approved March 3, 1886. Referred to the committee on the Chesapeake and its tributaries.

By Mr. DUPUY: A bill to provide for the purchase of certain property and additional improvements for the State female normal school, and to make appropriation therefor. Referred to the committee on schools or colleges.

By Mr. ANDERSON of *Rockbridge:* A bill to amend and re-enact the eleventh section of the act approved May the 12th, 1887, entitled an act to provide for the recovery, by motion, of taxes and certain debts due the commonwealth, for the payment of which papers purporting to be genuine coupons of the commonwealth have been tendered. Referred to the committee on finance.

By Mr. MOORE of *Pulaski:* A bill for the relief of the tax-payers of Carroll county. Referred to the committee on finance.

By Mr. WADDILL: A bill to provide for the compensation of the special House committee appointed in 1883–'84 to continue and complete the investigation of the books and papers of the first auditor's office. Referred to the committee on finance.

By Mr. SEBRELL: A bill to incorporate the town of Courtland, in the county of Southampton. Referred to the committee on counties, cities and towns.

By Mr. ANDERSON of *Rockbridge:* A bill to incorporate the Lexington street railway company. Referred to the committee on counties, cities and towns.

By Mr. BROWNE of *Nonsemond:* A bill to amend and re-enact an act approved February 24, 1886, providing for working and keeping in order the public roads of Nansemond county. Referred to the committee on counties, cities and towns.

By Mr. LEGGETT: A bill to authorize the board of supervisors of Princess Anne county to increase the salary of the judge of the county court of that county. Referred to the committee on counties, cities and towns.

By Mr. ELAM: An act to provide just compensation for personal service or labor when exacted for public uses. Referred to the committee on counties, cities and towns.

By Mr. WADDILL: A bill to amend and re-enact section 8 of chapter 61 of the Code of Virginia, as amended and re-enacted by an act approved March 9th, 1880, March 30, 1887, and May 21, 1887, in relation to turnpikes. Referred to the committee on counties, cities and towns.

By Mr. CARTER: A bill to repeal sections 20, 21 and 54 of chapter CCXI of the Code of 1873, in regard to convicts. Referred to the committee on asylums and prisons.

The morning hour having expired the House proceeded to the business on the calendar.

No. 1. House bill to amend and re-enact sections 4202, 4203 and 4204 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16th, 1887, was read a second time, and ordered to be engrossed to be read a third time.

Mr. HAY moved to reconsider the vote by which the bill was ordered to be engrossed; which motion was rejected.

On motion of Mr. FIGGATT the House adjourned until to-morrow at twelve o'clock M.

SATURDAY, DECEMBER 17, 1887.

On motion of Mr. WILKINS, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, December 16th, 1887.

The Senate have passed the following Senate bills: An act to refund to Reuben Sommers, of Page county, Va., the sum of $37.44 for delinquent taxes on land in Page county improperly paid by him, No. 10; an act to declare valid the deed from the trustees of St. Luke's Protestant Episcopal church, in Amherst county, to D. G. Meriwether, No. 16; an act to incorporate the trustees of the Baptist State mission board, No. 23; an act providing a special game law for the counties of Buckingham, Augusta, Culpeper, Rappahannock, Madison and Orange, No. 26: and an act to amend and re-enact section 1 of an act entitled an act to incorporate the Bristol-Goodson water company, approved May 20, 1887, No. 32; in which bills they respectfully request the concurrence of the House of Delegates.

No. 10. Senate bill, was read twice and referred to the committee on finance.

No. 26. Senate bill, was read twice and referred to the committee on counties, cities and towns.

No. 16. Senate bill, was read twice and referred to the committee for courts of justice.

Nos. 23 and 32. Senate bills, were read twice and referred to the committee on propositions and grievances.

No. 12. House bill to incorporate the Petersburg and Asylum railway company, reported from the committee on roads and internal improvements, was read a first time:

A report from the committee on officers and offices at the capitol as follows:

The committee on officers and offices at the capitol, have according to order, had under consideration a resolution to them referred to inquire into the expediency of abolishing the office of register of the land office, and have come to the following resolution:

Resolved, That it is inexpedient to abolish the said office.

—Came up.

A communication from the Governor was read, as follows:

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
Richmond, Va., Dec. 17, 1887.

To the Legislature:

In my recent message I recommended that the office of the register of land office be abolished, in order to save the State the expense of a useless office, and that the records and books be turned over to the second auditor's office.

I based such recommendations on the fact, that in the opinion of the second auditor (given at my request), no addition to the clerical force now in his office will be necessary, after the bulk of the funding has been completed.

The following figures are given:

PRESENT PLAN.

Salary of register of land office - - -	$1,500
Seven policemen, at $65 per month, is per annum -	5,460
Total, - - - - - -	$6,960

ON THE PROPOSED PLAN.

Six policemen, at $65 per month, is per year - -	$4,680
One chief-of-police and superintendent of public buildings, at $85 per month, is per annum - -	1,020
Total, - - - - - -	$5,700

The expense account of the State would thus be ultimately diminished by $1,260 per annum.

FITZHUGH LEE.

Mr. POLLARD moved to amend the resolution of the committee by striking out "inexpedient" and inserting "expedient," which was rejected—yeas 21; nays 54.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. Bristow, Daingerfield, Figgatt, J. S. Harris, Herring, Jones, Johnson, Mayo, McCandlish, Montague, A. Moore, Jr., Overby, Parr, Perkins, Phillips, Pollard, Quesenberry, Riner, Roane, Treat and Wright—21.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dickey, Dupuy, Echols, Edmondson, Elam, Ewell, Flood, Hay, Hobson, Huffman, Hunter, Jarratt, Kincheloe, Leggett, Loving, Magruder, McKee, J. E. Moore, Wm. L. Moore, Mustain, Pilcher, Porter, E. L. Roberts, J. Roberts, Sebrell, Simpson, Smith, Starke, Terrell, Tinsley, Lyon G. Tyler, Waddill, Watkins, Webb, West, Wilkins, Williams and Young—54.

On motion of Mr. POLLARD, the report of the committee was re-committed.

The SPEAKER laid before the House a communication from the superintendent of the penitentiary in response to a resolution of the House asking the number of persons confined in the penitentiary under the age of 18 years.

On motion of Mr. ECHOLS the communication was ordered to be printed.

The following bills were presented and referred under rule 37:

By Mr. SILVER: Petition of Drs. Miller and Owen in relation to the practice of medicine and surgery in the State of Virginia. Referred to the committee on propositions and grievances.

By Mr. CORBETT: A petition of physicians of Fairfax in relation to the practice of medicine and surgery in the State of Virginia. Referred to the committee on propositions and grievances.

By Mr. LOVING: A bill to amend and re-enact sections 102 and 110 of an act entitled prescribing general provisions in relation to commissioners of the revenue and the assessment of taxes on persons, property, income, licenses, &c., approved March 16, 1887. Referred to the committee on finance.

By Mr. WADDILL: A bill to relieve Mrs. Maria Simpson Throgmorton, of Henrico county, of taxes paid by her. Referred to the committee on finance.

By Mr. CORBETT: A bill to fix the salary of the judge of the corporate court of Alexandria. Referred to the committee on counties, cities and towns.

By Mr. WATKINS: A bill to authorize the board of supervisors of Halifax county to issue its warrant on the treasurer of said county in favor of Jos. C. Walker for the sum of $35, with interest from February 9, 1871. Referred to the committee on counties, cities and towns.

By Mr. JOHNSON: A bill to afford better security for bank depositors. Referred to the committee on banks, currrency and commerce.

By Mr. WADDILL: A bill to prevent penitentiary convicts being employed in competition with honest labor. Referred to the committee on asylums and prisons.

By Mr. WILKINS: A bill to amend and re-enact an act, approved January 16, 1886, entitled an act to allow Wm. H. Ellis to erect a wharf at Franklin city, Accomac county. Referred to the committee on roads and internal navigation.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 1. House engrossed bill to amend and re-enact sections 4202, 4203 and 4204 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16th, 1887, was read a third time and passed.

Mr. HAY moved a reconsideration of the vote by which the bill was passed; which motion was rejected.

Ordered, that Mr. HAY carry the bill to the Senate and request their concurrence.

No. 2. House bill to amend and re-enact section 18, chapter 187, Code 1873, in regard to rape, was, on motion of Mr. HAY, dismissed.

No. 3. House joint resolution directing the attorney-general to bring suit against F. S. Blair, late attorney-general, to recover amounts illegally drawn by him from the treasury was read a second time.

On motion of Mr. HAY, the joint resolution was amended by adding as an independent section the following:

This joint resolution shall be in force from its passage.

On motion of Mr. DABNEY, the joint resolution was recommitted to the committee for courts of justice.

No. 8. House bill to authorize the board of supervisors of Loudoun county to borrow money to build a jail was read a second time and ordered to be engrossed, to be read a third time.

No. 9. House bill to amend and re-enact sections 17 and 21 of an act, approved April 2d, 1882, entitled an act to provide for the working of roads in the counties of Culpeper and Buckingham was read a second time.

On motion of Mr. RYAN, the bill was amended by inserting after "that" in first line the following, "sections 17 and 21."

The bill as amended was ordered to be engrossed, to be read a third time.

No. 10. House bill to amend section 33 of chapter 450 of Acts of 1883–'4 in regard to the tax of peddlers, was read a second time.

Mr. ELAM moved to amend the bill by adding at the end of the 33d section, as proposed to be amended, the following: "Or any other person from selling any article or articles manufactured or produced by him;" which was rejected.

On motion of Mr. ANDERSON of *Rockbridge*, the bill was amended by adding after "products" in the twenty-fourth line of the 33d section, as proposed to be amended, the following: "Live stock, meat or other products."

Mr. WADDILL moved to amend the bill by adding: "Nor shall this bill apply to any person who barters for sale any commodity of Virginia in any of the counties or cities of this commonwealth;" which was rejected.

Mr. WADDILL moved to amend the bill by striking out the words: "But nothing in this or the preceding section shall be construed so as to prohibit any farmer from selling his farm products, live stock, meat or other products without a license;" which was rejected.

On motion of Mr. MONTAGUE, the bill was amended by adding after the word "products," contained in the amendment offered by Mr. ANDERSON of *Rockbridge*, the following: "Bought, raised or produced by himself and family."

On motion of Mr. HUFFMAN, the bill was recommitted to the committee on finance.

On motion of Mr. LOVING, the House adjourned until Monday morning at twelve o'clock M.

MONDAY, DECEMBER 19, 1887.

Prayer by Rev. Dr. S. S. Lambeth, of the Methodist Episcopal church.

On motion of Mr. DUPUY, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, December 17, 1887.

The Senate have passed Senate bills entitled an act to incorporate the Falls Church and Potomac railway company, No. 4; an act to prevent county, district school, corporation officers and school trustees from purchasing county and corporation warrants and school claims, No. 19; and an act to amend section 1 of chapter 14 of an act to fix the times for holding the terms of the circuit court of Bedford county, approved January 14, 1882, No. 43; in which they respectfully request the concurrence of the House of Delegates.

No. 4. Senate bill, was read twice and referred to the committee on roads and internal navigation.

No. 19. Senate bill, was read twice and referred to the committee on schools and colleges.

No. 43. Senate bill, was read twice and referred to the committee for courts of justice.

No. 12. House bill to amend and re-enact section 1170 of the Code of 1887, reported from the committee for courts of justice with a recommendation that it do not pass, was read a first time.

No. 16. Senate bill entitled an act to declare valid the deed from the trustees of St. Luke's Protestant Episcopal church, in Amherst county, to G. D. Meriwether, was reported from the committee for courts of justice.

The following report from the committee for courts of justice was agreed to:

Your committee for courts of justice to which has been referred a resolution directing said committee to report by bill or otherwise, which bills and petitions are required by the act approved May 23d, 1887, to be printed at the expense of persons presenting such petitions or bills, respectfully report that all bills incorporating railroads and street railroad companies, and bills for the relief of collecting

officers of the commonwealth, which create no charge upon the treasury and do not effect the public revenue, and all bills incorporating joint stock and chartered companies, all bills for the erection of wharves or piers by individuals or joint stock companies, and any amendment or amendments to any of the acts of the character of the bills above mentioned are private bills, and are required to be printed at the expense of persons presenting such petitions or bills, or of the company making such application, by the 14th section of the act entitled an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal chapter 185 of the Acts of Assembly of 1879–'80, approved May 23d, 1887.

Respectfully submitted,

JAMES HAY, *Chairman.*

Mr. MAYO asked to have it entered on the Journal that had he been present on December 8, when the vote was taken on agreeing to the resolution in relation to the repeal of the entire internal revenue or the repeal of the tax on tobacco and upon spirits distilled from fruits, he would have voted in the negative.

Mr. ELAM stated that he would have voted in the affirmative.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 13. House bill to incorporate the town of Courtland, in the county of Southampton.

No. 14. House bill to amend and re-enact section 12 of an act entitled an act for working and repairing the public roads of Grayson and Patrick counties, approved May 23, 1887.

No. 15. House bill to authorize the board of supervisors of Culpeper and Orange counties to increase the salary of the judges of said counties.

No. 16. House bill to incorporate the Lexington street railway company.

The following House bills, reported from the committee on schools and colleges, were read a first time:

No. 17. House bill to amend and re-enact section 75, chapter 78 of the Code of 1873, in regard to unpaid school funds.

No. 18. House bill requiring educational institutions, receiving State appropriations, to make annual report to the board of education.

No. 19. House bill to provide for the establishment of a reformatory for youthful criminals in Virginia, reported from the committee on asylums and prisons, was read a first time.

No. 10. House bill to amend section 33 of chapter 450 of Acts of 1883–84, in regard to the tax on peddlers heretofore amended and recommitted to the committee on finance, was reported back with an amendment.

No. 20. House joint resolution, in relation to a temporary suspension of litigation in regard to the public debt, reported from the committee on finance, was read a first time.

The committee on privileges and elections recommend that the House of Delegates agree to the following resolution:

Whereas, it is alleged that A. M. McClintic, who at present occupies a seat upon this floor as delegate from the district composed of the counties of Alleghany, Bath and Highland, is ineligible to hold such seat by reason of the fact that he is not a resident of said district, but is a resident of the county of Botetourt; therefore, be it

Resolved by the House of Delegates of Virginia:

1st. That the committee on privileges and elections inquire as to said alleged ineligibility of said A. M. McClintic, and report the result thereof, with such recommendation as may be proper.

2nd. That said committee be empowered to employ a stenographer, to proceed in said investigation through a sub-committee, if deemed advisable, to send for persons and papers, and sit during the recess of the General Assembly to make said investigation, in the event there is an adjournment for the Christmas holidays.

The resolution was agreed to.

Leave of absence was granted Messrs. SPENCER and PERKINS one day each.

The following report was agreed to:

The committee on officers and offices at the capitol, having under consideration the resolution of your honorable body as to the propriety of abolishing the office of register of the land office, offered by Mr. CATLETT of *Charlotte*, respectfully report that in consideration of the matter we had before us his excellency, the Governor, and the Hon. J. A. Wingfield, register of the land office, and after hearing them both fully, and giving the matter due and careful consideration, we beg leave to report that in our judgment it will be inexpedient to abolish the said office.

S. S. WILKINS, *Chairman Committee.*

Mr. HAY moved to reconsider the vote by which the report was agreed to; which motion was rejected.

Mr. DUPUY offered the following resolution:

Resolved (the Senate concurring), That the General Assembly will take a recess from and after Wednesday, December 21st, 1887, to Wednesday, January 4th, 1888.

The House refused to refer the resolution to a committee.

Mr. ECHOLS moved to strike out Wednesday, January 4, 1888, and insert Tuesday, January 3, 1888; which motion was rejected.

Mr. HAY moved to strike out Wednesday, December 21st, 1887, and insert Thursday, December 22d, 1887; which motion was rejected.

The resolution was agreed to.

Mr. MAYO moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. DUPUY carry the resolution to the Senate, and request their concurrence.

On motion of Mr. WADDILL, the committee on federal relations and resolutions was discharged from the further consideration of House joint resolution, in relation to the report of the internal revenue system of taxation (with substitute of the Senate).

The joint resolution was placed on the calendar.

On motion of Mr. BARBOUR, the committee on federal relations and resolutions was discharged from the further consideration of Senate joint resolution, extending thanks to Messrs. Ayers, Scott and McCabe.

The joint resolution was placed on the calendar.

The following bills were presented and referred under Rule No. 37:

By Mr. MAYO: A bill to amend and re-enact section 13 of the oyster law as amended by the extra session of the Legislature, and approved April 28th, 1887. Referred to the committee on Chesapeake and its tributaries.

By Mr. BALDWIN: A bill to amend and re-enact an act entitled an act to allow mileage to jurors, approved February 25th, 1884. Referred to the committee for courts of justice.

By Mr. W. W. EVANS: A bill making it a misdemeanor to write, print, or publish knowingly, any malicious or defamatory libel for the purpose of blackening the reputation of any person, living or dead. Referred to the committee for courts of justice.

By Mr. MONTAGUE; A bill for the relief of John A. Shackelford, of Stafford county, Va., from delinquent land taxes wrongfully charged. Referred to the committee on finance.

By Mr. TERRELL of *Campbell:* A bill for the relief of the sureties of John M. Dooly, of Campbell county. Referred to the committee on finance.

By Mr. CATLETT: A bill to authorize the board of supervisors of Charlotte county to issue bonds for the purchase of a farm for the reception of the poor of said county. Referred to the committee on counties, cities and towns.

By Mr. DABNEY: A bill to amend section 2 of an act entitled an act to require proper proof of disability in order to obtain aid as a disabled soldier or marine, approved May 23, 1887. Referred to the committee on finance.

By Mr. RINER: Petition from certain physicians of Montgomery county in relation to practice of medicine and surgery. Referred to the committee on propositions and grievances.

By Mr. MONTAGUE: A petition from physicians of the counties of Stafford, King George and cities of Richmond and Fredericksburg in relation to the practice of medicine and surgery. Referred to the committee on propositions and grievances.

By Mr. EVANS: Petition of physicians of Petersburg in relation to the practice of medicine and surgery. Referred to the committee on propositions and grievances.

By Mr. POLLARD: A communication in regard to the appointment of physicians to the poor-houses. Referred to the committee on propositions and grievances.

The morning hour having expired, the House proceeded to the business on the calendar.

House joint resolution in relation to the repeal of the internal revenue system of taxation (with substitute of the Senate), came up.

Mr. ANDERSON of *Rockbridge* moved the pending question; which was ordered—yeas 57; nays 30.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Graves, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Simpson, Smith, Starke, Terrell, Tinsley, R. H. Tyler, Waddill, Watkins, West, Wilkins, Williams and Wright—57.

NAYS—Messrs. Ash, Baskerville, Bristow, John A. Brown, Carter, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Mayo, McCandlish, McClintic, McNeil, Montague, William L. Moore, Parr, Phillips, Quesenberry, Riner, Roane, Robinson, Scott, Treat, Webb and Young—30.

The substitute of the Senate is as follows:

Resolved (the House of Delegates concurring), That our senators in Congress be instructed, and our representatives be requested,

1st. To use their best efforts to secure the immediate repeal of the internal revenue system, a relic of the war, and no longer necessary to meet the demands of the government, and because it is oppressive, fosters monopolies and is obnoxious to the interests of our people.

2d. To favor raising the revenue requisite for the support of the Federal government by a tariff upon imports limited to the necessities of the government, economically administered, and so adjusted in its application as to prevent unequal burdens, encourage productive interests at home, the development of our material resources, and afford just compensation to labor, but not to foster monopolies.

Mr. RYAN moved to reconsider the vote by which the substitute of the Senate was agreed to.

Mr. WADDILL moved to pass by the motion to reconsider.

Mr. ANDERSON of *Rockbridge*, moved the pending question, which was ordered.

The motion by Mr. WADDILL, to pass by the motion to reconsider was rejected—yeas 32; nays 55.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, John A. Brown, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Mayo, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Treat, Waddill, Webb, Young—32.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, J. E. Moore, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Simpson, Smith, Starke, Terrell, Tinsley, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—53.

Mr. FIGGATT moved the pending question, which was ordered—yeas 58; nays 25.

On motion of Mr. WADDILL the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Baldwin, Barbour, Bristow, Buford, Carter, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Scott, Sebrell, Silver, Simpson, Smith, Terrell, Tinsley, R. H. Tyler, Watkins, Wilkins and Williams—58.

NAYS—Messrs. Ash, Baskerville, John A. Brown, Craft, Daingerfield, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Mayo, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Phillips, Porter, Riner, Roane, Robinson, Treat, Waddill, Young—25.

Mr. TREAT moved that the House do now adjourn; which motion was rejected.

On motion of Mr. MCCANDLISH, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, John A. Brown, Corbett, Craft, Daingerfield, Dickey, Evans, A. W. Harris, Herring, Jarratt, Jones, McClintic, McNeil, Montague, Wm. L. Moore, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Treat, Waddill, Webb—27.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McCandlish, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Tinsley, R. H. Tyler, Watkins, West, Williams, Wright—56.

Mr. BRISTOW moved to reconsider the vote by which the pending question was ordered, which motion was rejected—yeas 25; nays 54.

On motion of Mr. MCCANDLISH, the vote was recorded as follows:

YEAS—Messrs. John A. Brown, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Phillips, Porter, Riner, Roane, Robinson, Treat, Waddill, Webb and Young—25.

NAYS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Tinsley, Watkins, Wilkins, Williams, Wright—54.

Mr. MCCANDLISH moved that the House do now adjourn; which motion was rejected—yeas 30; nays 56.

On motion of Mr. ECHOLS, the vote was recorded:

YEAS—Messrs. Ash, Baskerville, Bristow, John A. Brown, Corbett, Craft, Daingerfield, Dickey, Evans, A. W. Harris, Herring, Jarratt, Jones, Mayo, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Treat, Waddill, Webb and Young—30.

NAYS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Tinsley, Watkins, West, Wilkins, Williams and Wright—56.

The motion by Mr. RYAN to reconsider the vote by which the substitute of the Senate was agreed to was rejected—yeas 30; nays 54.

On motion of Mr. ECHOLS the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, John A. Brown, Carter, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Mayo, McCandlish, McNeil, Montague, William L. Moore, Parr, Phillips, Porter, Riner, Roane, Robinson, Scott, Treat, Waddill, Webb and Young—30.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Catlett, Coleman, Counts, Crawford, Curtis, Dabney, Dupuy, Echols, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Simpson, Smith, Starke, Terrell, Tinsley, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—54.

Senate joint resolution as follows:

Resolved (the House of Delegates concurring), That the thanks of this General Assembly are extended to the Hon. Rufus A. Ayers, attorney-general of the State; John Scott, attorney for the commonwealth of Fauquier county, and J. B. McCabe, commonwealth's attorney for the county of Loudoun, for the firm stand assumed by them for having the validity tested of the late order of the United States court for the Eastern district of Virginia, made by the Hon. Hugh L. Bond, judge of the circuit, fining and imprisoning them

for alleged contempt of court while engaged in the legitimate exercise of their official duties imposed by law for the enforcement and collection of the taxes due this commonwealth.

Resolved, That they are congratulated for the course adopted by them which, although having subjected them to temporary incarceration in jail, so far from being a subject of mortification and disgrace, was a position of honor and distinction, and they are further to be congratulated and held up to approval and endorsement in having brought about a decision of the Supreme Court of the United States which finally settles the question of the power and authority of the Federal judiciary over the States of this Union in accordance with the Constitution of the United States and the laws of the land.

Resolved, That the governor of this commonwealth be requested to communicate the passage of the above resolutions to the State officials above named, and cause a copy to be transmitted to them with such remarks as he may deem pertinent.

—Came up.

Mr. WADDILL offered an amendment in the nature of a substitute as follows:

Whereas, The doctrines embodied in the recent decision of the Hon. H. L. Bond, United States circuit judge for this district, in imprisoning certain of our State officers, are exactly what the present majority party on this floor (under the then name of the funder party), advocated for years, and the said decision being the legitimate outcome and result of such doctrines; therefore, be it

1. Resolved, That the majority on the floor owe an apology to the people of Virginia for the injury done to them and the State for ever having advocated such pernicious doctrines, and such apology is here humbly made.

2. That while duly appreciating the gravity of the situation whereby a State official should be imprisoned by a Federal judge, we, nevertheless, feel it our duty to say to the gentlemen who have been unfortunately imprisoned, that they are, under the circumstances, but suffering from the folly of their friends, who for so many years inculcated such doctrines in the community.

The SPEAKER ruled the substitute offered by Mr. WADDILL out of order.

Mr. WADDILL appealed from the decision of the chair.

The question being shall the decision of the chair stand as the judgment of the House, was put and decided in the affirmative—yeas 62; nays 18.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, John A. Brown, Buford, Carter, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Tinsley, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright, Young—62.

NAYS—Messrs. Ash, Baskerville, Bristow, Elam, Evans, Herring, Jarratt, Jones, McCandlish, Montague, Wm. L. Moore, Riner, Roane, Robinson, Scott, Treat, Waddill, Webb—18.

Mr. FIGGATT moved the pending question.

Mr. WADDILL moved to pass by the motion by Mr. FIGGATT.

The SPEAKER ruled the motion by Mr. WADDILL out of order, rule No. 65 requiring that the motion for the pending question shall be forthwith put to the House.

Mr. WADDILL appealed from the decision of the chair.

The question being, shall the decision of the chair stand as the judgment of the House was put, and decided in the affirmative.

The motion by Mr. FIGGATT to order the pending question was agreed to.

The Senate joint resolution was agreed to.

Mr. RYAN moved to reconsider the vote by which the Senate joint resolution was agreed to; which motion was rejected.

No. 16. Senate bill, entitled an act to declare valid the deed from the trustees of St. Luke's Protestant Episcopal church, in Amherst county, to G. D. Meriwether, was read a third time and passed.

The following House engrossed bills were read a third time and passed:

No. 8. House engrossed bill to authorize the board of supervisors of Loudoun county to borrrow money to build a jail.

No. 9. House engrossed bill to amend and re-enact sections 17 and 21 of an act approved April 2nd, 1882, entitled an act to provide for the working of roads in the counties of Culpeper and Buckingham.

Motions severally made to reconsider the votes by which Senate bill No. 16 and House bills Nos. 8 and 9 were passed, were rejected.

No. 10. House bill to amend section 33 of chapter 450 of Acts of 1883–4, in regard to the tax on peddlers, was read a second time.

The amendment proposed by the committee on finance is as follows:

Strike out the words, "But nothing in this or the preceding section shall be construed as to prohibit any farmer from selling his farm products, live stock, meat or other products, bought, raised or produced by himself and family without a license," and *insert*, "*But* nothing under this or the preceding section shall be construed to require of any farmer, or other person, a peddler's license, for selling farm products or other things, produced or manufactured by such person."

—Was agreed to.

The bill, as amended, was ordered to be engrossed to be read a third time.

No. 4. House bill to incorporate the Confederate soldiers' and sailors' monumental association was read a second time and ordered to be engrossed to be read a third time.

No. 11. House bill to incorporate the Petersburg and Asylum railway company, was, on motion of Mr. MCCANDLISH, recommitted to the committee on roads and internal navigation.

On motion of Mr. RYAN, the House adjourned until to-morrow at twelve o'clock M.

TUESDAY, DECEMBER 20, 1887.

Prayer by Rev. Dr. S. S. Lambeth, of the Methodist Episcopal church.

On motion of Mr. CRISMOND, the reading of the Journal was dispensed with.

No. 21. House bill to amend and re-enact section 4, chapter 471, of Acts of 1885–'6, entitled an act to employ convict labor on county roads and other works of internal improvement, reported from the committee on roads and internal navigation, was read a first time.

No. 22. House bill to amend and re-enact an act to amend and re-enact section 1 of an act entitled an act to protect the fish in the waters of the Mattaponi and Pamunky rivers, approved March 3, 1886, and approved May 23, 1887, substitute for the original bill, reported from the committee on Chesapeake and its tributaries, was read a first time.

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 23. House bill to incorporate the Star of Bethlehem order of Gallilean fishermen.

No. 24. House bill to amend an act respecting wild game in Loudoun county, approved January 21, 1886.

No. 25. House bill to amend section 2 of an act entitled an act to require proper proof of disability in order to obtain aid as a disabled soldier or marine, approved May 23, 1887.

No. 32. Senate bill entitled an act to amend and re-enact section 1 of an act entitled an act to incorporate the Bristol-Goodson water company, approved May 20, 1887, was reported from the committee on propositions and grievances.

The following House bills, reported from the committee on finance, were read a first time:

No. 26. House bill to exempt from taxation $2,500 worth of property of persons laboring under extreme physical dismemberment (with a recommendation that it do not pass).

No. 27. House bill for the relief of William Scroggin, late treasurer of Warren county.

Mr. ECHOLS offered the following concurrent resolution:

Resolved (the Senate concurring), That the General Assembly will proceed this day, at two o'clock P. M., to the election of a city

judge for Staunton, to fill the vacancy occasioned by the resignation of Judge W. Green Smith.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. ECHOLS moved to reconsider the vote, by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. ECHOLS carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Koiner, who informed the House that the Senate had agreed to the resolution.

On motion of Mr. DUPUY,

Resolved, That when this House adjourn this day it adjourn to meet to-morrow at 11 o'clock A. M.

Mr. WADDILL moved a suspension of the rule to have placed on the calendar a joint resolution requesting the members of Congress from Virginia to wait on Speaker Carlisle and urge certain views in the appointing of the committees of Congress; which motion was rejected.

The resolution was referred to the committee on federal relations and resolutions.

Mr. WADDILL moved that the committee be discharged from its consideration, which motion was rejected—yeas 38; nays 59.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—38.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—59.

Mr. MCNEIL moved that the committee on federal relations and resolutions be discharged from the further consideration of a joint resolution in relation to the Blair bill; which motion was rejected—yeas 35; nays 57.

On motion of Mr. MCNEIL, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—35.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Crawford, Dabney, Dupuy,

Echols, Edmondson. Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Wilkins, Williams and Wright—57.

Leave of absence was granted Mr. HUFFMAN for one day.

The following bills were presented and referred under Rule 37:

By Mr. SAUNDERS: A bill to incorporate the Farmers benevolent fire association of Franklin county. Referred to the committee on propositions and grievances.

By Mr. MOORE of *Clarke and Warren:* A bill to incorporate the Virginia and Pennsylvania iron and coal company. Referred to the committee on propositions and grievances.

By Mr. MUSTAIN: Resolution in regard to commissioners of the revenue. Referred to the committee on finance.

By Mr. CRISMOND: A bill to amend and re-enact section 1, chapter 49, Acts 1885–'6. Referred to the committee on finance.

By Mr. ELAM: A bill to aid the public free schools of Virginia and to provide free books and apparatus therefor. Referred to the committee on schools and colleges.

By Mr. STARKE: A bill to incorporate the Norfolk and Cape Henry railroad and hotel company. Referred to the committee on roads and internal navigation.

By Mr. WADDILL: A bill to incorporate the Richmond and Seven Pines railway company. Referred to the committee on roads and internal navigation.

By Mr. EDMONDSON: A bill to incorporate the Abingdon street railway company. Referred to the committee on counties, cities and towns.

By Mr. OVERBY: A bill providing for the sub-division of tracts of land into lots or parcels, and for the record of plats thereof. Referred to the committee on counties, cities and towns.

By Mr. CATLETT: A bill to prohibit the members of the General Assembly and judges of the commonwealth from using railroad passes and complimentary tickets. Referred to the committee for courts of justice.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 32. Senate bill entitled an act to amend and re-enact section 1 of an act entitled an act to incorporate the Bristol-Goodson water company, was read a third time and passed.

No. 4. House engrossed bill to incorporate the Confederate soldiers' and sailors' monumental association, was read a third time and passed.

No. 10. House engrossed bill to amend section 33 of chapter 450 of Acts of 1883–'84, in regard to the tax on peddlers, was read a third time and passed.

On motion of Mr. POLLARD, the title was amended by striking out the same and inserting in lien thereof the following:

To amend and re-enact section 33 of an act entitled an act to provide for the assessment of taxes, &c., approved March 6th, 1886, in regard to the tax on peddlers.

Motions severally made to reconsider the votes by which Senate bill No. 32, and House engrossed bills No. 4 and 10 were passed, were rejected.

Ordered, That Mr. POLLARD carry House engrossed bill No. 10 to the Senate and request their concurrence.

No. 12. House bill to amend and re-enact section 1170 of the Code of Virginia of 1887, was, on motion of Mr. BROWNE of *Nansemond*, dismissed.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 13. House bill to incorporate the town of Courtland, in the county of Southampton.

No. 14. House bill to amend and re-enact section 12 of an act entitled an act for working and repairing the public roads of Grayson and Patrick counties, approved May 23rd, 1887.

No. 15. House bill to authorize the board of supervisors of Culpeper and Orange counties to increase the salary of the judges of said counties, was read a second time.

Mr. DUPUY moved to amend the bill by inserting, "and the board of supervisors of Nottoway county be authorized to increase the salary of the judge of the said county to an amount not exceeding four hundred dollars."

Pending which,

The hour of one o'clock P. M. having arrived, being the day prescribed by the Acts of Congress of the United States for the election of a senator from Virginia in the Congress of the United States, and the time fixed by a concurrent resolution of the two houses for the execution of the joint order, which has for its object the election of a senator from Virginia in the Congress of the United States.

A message was received from the Senate by Mr. Hurt, who informed the House of Delegates that the Senate is ready on its part to proceed to the execution of the joint order.

Ordered, That Mr. STARKE inform the Senate that the House of Delegates is ready on its part to proceed to the execution of the joint order.

The following persons were nominated for senator to represent this State in the Congress of the United States for the term of six years, commencing March 4, 1889:

By Mr. ANDERSON of *Rockbridge*, John S. Barbour.
By Mr. WEBB, William Mahone.

The roll was then called with the following result:

For John S. Barbour,	-	-	-	61
William Mahone,	-	-	-	36

The delegates who voted for John S. Barbour are:

For JOHN S. BARBOUR—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—61.

The delegates who voted for William Mahone are:

For WILLIAM MAHONE—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Riner, Roane, Scott, Spencer, Tinsley, Treat, Waddill, Webb, Young—36.

John S. Barbour received a majority of all the votes cast for senator.

No. 15. House bill to authorize the board of supervisors of Culpeper and Orange counties to increase the salary of the judges of said counties again came up.

The amendment offered by Mr. DUPUY was agreed to.

On motion of Mr. RYAN the bill was passed by.

The hour of two o'clock P. M. having arrived,

Ordered, That Mr. ECHOLS inform the Senate that the House is ready on its part to proceed to the execution of the joint order, which has for its object the election of a city judge for Staunton.

A message was received from the Senate by Mr. Koiner, who informed the House that the Senate is ready on its part to proceed to the execution of the joint order.

Mr. CRAWFORD nominated Charles Grattan.

Mr. WEBB nominated Charles D. S. Curry.

Ordered, That Mr. ECHOLS inform the Senate that Charles Grattan and Charles D. S. Curry are in nomination before the House.

A message was received from the Senate by Mr. Rhea, who informed the House that Charles Grattan and Charles D. S. Curry are in nomination in the Senate.

The roll was called with the following result:

For Charles Grattan, -	-	-	-	56
Charles D. S. Curry,	-	-	-	34

The vote was recorded as follows:

For CHARLES GRATTAN—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Curtis, Dabney, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Williams, Wright—56.

For CHAS. D. S. CURRY—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Brown, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, McCandlish, McNeil, Montague, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Roane, Robinson, Scott, Spencer, Tinsley, Treat, Waddill, Webb, Young—34.

The SPEAKER appointed Messrs. FLOOD, WEST and DAINGERFIELD the committee on the part of the House to count and report the joint vote.

The committee subsequently, by its chairman, reported as follows:

Whole number of votes cast, - -	129
Necessary to a choice - - -	65
Charles Grattan received - - -	82
Charles D. S. Curry, - - -	47

Charles Grattan having received a majority of all the votes cast, was declared duly elected city judge for Staunton to fill the vacancy occasioned by the resignation of Judge John W. Green Smith.

On motion of Mr. SILVER, the House adjourned until to-morrow at eleven o'clock A. M.

WEDNESDAY, DECEMBER 21, 1887.

Prayer by Rev. Dr. S. S. Lambeth, of the Methodist *Episcopal* church.

On motion of Mr. DABNEY, the reading *of the Journal* was dispensed with.

The SPEAKER appointed George R. Clarke as page.

The following bills, reported from the committee for courts of justice, were read a first time:

No. 28. House bill authorizing the clerk of King William county to transcribe and re-enter the mutilated records of the county.

No. 29. House bill to amend and re-enact an act entitled an act to allow mileage to jurors, approved February 25th, 1884 (with a recommendation that it do not pass).

No. 43. Senate bill entitled an act to amend section 1 of an act to fix the times for holding the terms of the circuit court of Bedford county, approved 14th January, 1882, was reported from the committee for courts of justice.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 30. House bill to provide just compensation for personal service or labor when exacted for public uses (with a recommendation that it do not pass).

No. 31. A bill to incorporate the Abingdon street railway company.

No. 32. A bill to authorize the board of supervisors of Charlotte county to issue bonds for the purchase of a farm for the reception of the poor of said county.

No. 33. A bill to amend and re-enact an act approved February 24th, 1886, providing for working and keeping in order the public roads in Nansemond county.

The following report was agreed to:

The committee for courts of justice have, according to order, had under consideration a bill to amend and re-enact section 2042 of the Code of 1887, in relation to trespass by cattle, respectfully ask to be discharged from its further consideration, and that it be referred to the committee on counties, cities and towns.

Mr. RYAN offered the following concurrent resolution:

Resolved (the Senate concurring), That a committee of five on the part of the House, and three on the part of the Senate, be appointed to inform Hon. John S. Barbour of his election as United States senator for Virginia in the Congress of the United States.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. RYAN moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. RYAN carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Hurt, who informed the House that the Senate had agreed to the resolution.

The SPEAKER appointed Messrs. RYAN, ANDERSON of *Rockbridge*, HAY, ECHOLS and GORDON the committee on the part of the House.

Mr. BROWNE of *Nansemond* offered the following resolution:

Resolved, That the superintendant of public buildings is hereby directed to have hat racks placed under the seat of each member of this House; and that the seats, or such of them as may require it, be upholstered, and that these improvements and repairs be made during the coming recess of the House.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

A message was received from the Senate by Mr. Jones, who informed the House that the Senate had agreed to a concurrent resolution as follows:

Whereas it has been stated on the floor of the General Assembly, and otherwise circulated among the members of that body, that the affairs of the office of the register of the land office have not been properly conducted, and the duties of the present incumbent of that office properly discharged; now, therefore, be it

Resolved (the House of Delegates concurring), That a committee of five, two on the part of the Senate and three on the part of the House, be appointed, and whose duties it shall be to inquire and report, as speedily as possibly, as to the condition of the office of the register of the land office and how the duties of that office have been performed by the present incumbent. The said committee shall have power to sit during the recess of the General Assembly and to send for persons and papers; in which they respectfully request the concurrence of the House.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. HAY moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. HAY inform the Senate that the House had agreed to the resolution.

The SPEAKER appointed Messrs. MORTON, CRISMOND and LOVING the committee on the part of the House.

A message was received from the Senate by Mr. Stubbs, who informed the House that the Senate had agreed to the resolution of the House providing for a recess of the General Assembly.

A message was received from the Senate by Mr. Heaton, who informed the House that the Senate had agreed to a joint resolution in regard to the funding of bonds; in which they respectfully request the concurrence of the House.

The joint resolution was read twice and placed on the calendar, the rule having been suspended, on motion of Mr. BUFORD, requiring its reference to a committee.

A message was received from the Senate by Mr. Wickham, who informed the House that the Senate had agreed to a resolution as follows:

Your committee to whom was referred so much of the governor's message as relates to the suspension for a reasonable time of the institution of all legal proceedings under the act of May 12th, 1887, recommend the adoption of the following resolution:

Resolved, That it is inexpedient to legislate upon the subject of the suspension of the institution of legal proceedings under the act of May 12th, 1887; in which they respectfully request the concurrence of the House.

The House refused to refer the resolution to a committee.

Mr. BUFORD moved to lay the resolution on the table, which motion was rejected.

The resolution was agreed to.

A message was received from the Senate by Mr. Jones, who informed the House that the Senate had agreed to a joint resolution

to empower treasurers to receive from tax-payers who tendered coupons for taxes for the year 1886, payment thereof in money, in which they respectfully request the concurrence of the House.

The joint resolution was read twice and placed on the calendar, the rule having been suspended, on motion of Mr. FIGGATT, requiring its reference to a committee.

A report from the committee on privileges and elections was presented as follows:

The committee on privileges and elections, to whom was referred the petition and papers in the contested election case of R. D. James against P. W. Scott, from the county of Goochland, respectfully report the following facts and conclusions:

First. It is an admitted fact that the sitting member, P. W. Scott, was not, at the time of the legislative election—to-wit, November the 8th, 1887,—a citizen of the United States, but was a subject of Great Britain.

Second. That since said election and before the convening of the General Assembly on December the 7th inst., he has been by an order of the United States district and for the Eastern district of Virginia duly naturalized and declared a citizen of the United States.

Third. That at the election held for members of the General Assembly for the county of Goochland on the 8th day of November last, said P. W. Scott received 898 votes and R. D. James received 745 votes. The notice of contest seems to have been properly given and the depositions regularly taken.

Upon these admitted facts the contestant, R. D. James, claims (1) that the contestee, P. W. Scott, is not entitled to a seat upon the floor of the House of Delegates, and (2) that he, the contestant, is entitled to such seat as a delegate from the county of Goochland.

These two claims will be disposed of in order.

The Constitution of Virginia defining the qualifications of a member of the House of Delegates declares—article V., section 5—"Any person may be elected a member of the House of Delegates who, *at the time of election*, is actually a resident within the county, city, town or election district, *qualified to vote for members of the General Assembly*, according to this Constitution;" and article III., section 1 of the Constitution makes citizenship of the United States requisite to voting, from which it plainly appears that a person to be eligible to a seat in the House of Delegates must be entitled to vote *at the time of his election.* It is admitted that P. W. Scott was not entitled to vote on November the 8th, 1887. Such disqualification existing at the time of election disqualifies a person from occupying a seat, and such disability cannot be cured or removed after such election and before the term of office begins. But if this did not so plainly appear from the plain language of our Constitution, authorities are not

lacking in support of our view. We cite Cushing on the Law of Legislative Proceedings, section 78, and Searcy *vs.* Grew, 15 California Reports, page 117.

We are therefore clearly of opinion that P. W. Scott is not entitled to a seat as a member of the House of Delegates.

It appears that Mr. R. D. James, the contestant, rests his claim to a seat solely upon the legal result of the ineligibility of P. W. Scott, who, although receiving a majority of the votes, is ineligible, and that the votes cast for him are void and should be considered nullities, and as though they never had been cast.

In support of this view of the case, the learned counsel for the contestant has referred to a large number of English authorities going to establish his contention, and to several American authorities tending to establish the same principle.

But your committee is of opinion that the principle applicable in a government like ours, based upon the theory that power emenates from the people, is totally at variance with the British government, that power originates with the monarch, and that the privilege allowed the people to select representatives is a concession rather than an inherent right, and think that little weight should be given to the English authorities bearing on this question. And your committee find an overwhelming weight of authorities, both in the American text-books and reported cases, sustaining the proposition that a majority, or at least a plurality, of votes cast at any election shall be required to elect a person to office by popular vote. Mr. McCrary, in his work on elections, Sec. 234, says: "An election with us is the deliberate choice of a majority or plurality of the electors. Any doctrine which opens the way for minority rule in any case, is anti-Republican and anti-American. The English rule, adhered to, would in many cases result in compelling very large majorities to submit to very small minorities, as an ineligible person may receive, and in many cases has received, a great majority of votes. It is enough in such case to hold the election void." The same doctrine is held by Mr. Brighety in a note to Commonwealth *vs.* Cluley (56 Penn. State Reports, 270), at page 150, in his Leading Cases on Elections. The same doctrine has been adopted and approved in both branches of Congress. See Smith *vs.* Brown, 2 Bartlett, 395, where an able report was submitted by Mr. Dawes, then chairman of the committee of elections of the House of Representatives; and also the case of Ransom *vs.* Abbott, Senate Election Cases 1789, 1885, page 338, where the report maintaining the same doctrine was adopted by a vote of 42 to 10.

Therefore, your committee, after full examination and consideration, have unanimously reached the conclusion that the contestant, R. D. James, is not entitled to a seat on the floor of the House of Delegates, and they recommend the adoption of the following resolution:

Resolved, That the seat on the floor of the House of Delegates of the member from the county of Goochland be, and the same is, hereby declared vacant.

Respectfully submitted,

HENRY R. POLLARD, *Chairman.*

Mr. STARKE moved that the report be passed by and ordered to be printed; which motion was rejected.

The report of the committee was agreed to—yeas 68; nays 2.

On motion of Mr. RYAN, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Barbour, Bristow, Goodman Brown, Buford, Carter, Catlett, Coleman, Corbett, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Evans, Figgatt, Flood, Gordon, Graves, J. S Harris, Hay, Herbert, Hunter, Jarratt, Johnson, Kincheloe, Leggett, Loving, Magruder, McCandlish, McKee, Montague, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Parr, Perkins, Pilcher, Pollard, Porter, Riner, Roane, J. Roberts, Robinson, Ryan, Saunders, Silver, Simpson, Starke, Terrell, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, West, Williams, Wright—68.

NAYS—Messrs Elam, Martin—2.

Mr POLLARD moved to reconsider the vote by which the resolution of the committee was agreed to; which motion was rejected.

The following bills were presented and referred under Rule 37:

By Mr. CORBETT: A bill to amend section 22, chapter 352, of the Acts of Assembly 1883–'84, to provide for the working and repairing of public roads and bridges, approved March 8, 1884. Referred to the committee on counties, cities and towns.

By Mr. JOHNSON: A bill to prevent fraud in the conduct of elections. Referred to the committee on privileges and elections.

By Mr. BUFORD: A bill to incorporate the Virginia safety deposit and trust company of Richmond. Referred to the committee on banks, currency and commerce.

By Mr. RYAN: A bill to incorporate the Loudoun creamery association. Referred to the committee on propositions and grievances.

By Mr. MOORE of *Pulaski:* A bill for the relief of the sureties of Charles W. Walker, late treasurer of Giles county, Virginia. Referred to the committee on finance.

By Mr. SAUNDERS: A bill to empower the auditor to issue a duplicate of warrant No. 8786. Referred to the committee on finance.

By Mr. WILKINS: A bill to establish a normal school at Williams and Mary college in connection with its collegiate course. Referred to the committee on schools and colleges.

By Mr. PARR: A bill to aid the public free schools of Virginia and to provide free books and appropriate therefor. Referred to the committee on schools and colleges.

By Mr. BROWNE of *Nansemond:* A bill authorizing fidelity, trust and guaranty companies, under certain restrictions, to become sureties on official bonds. Referred to the committee for courts of justice.

By Mr. BARBOUR: Resolution in reference to the payment of the State debt of Virginia by the government of the United States. Referred to the committee on federal relations and resolutions.

The hour of 12 o'clock M. having arrived, which being the hour, according to an act of Congress entitled "an act to regulate the times and manner of holding elections for senators in Congress," for the meeting of the members of the two houses in Joint Assembly for the election of a senator in Congress, the Senate of Virginia entered the hall of the House of Delegates, preceded by the president of the Senate and the clerk of the Senate. Whereupon the president of the Senate, in accordance with a joint rule, assumed the chair and called the Joint Assembly to order.

Under the instructions of the PRESIDENT of the Joint Assembly, the clerk of the Joint Assembly read the rules for the government of the Senate and House of Delegates when convened in Joint Assembly for the election of a senator in Congress.

The Journal of the Senate of yesterday was read, from which it appeared that John S. Barbour had received 26 votes (being a majority of all the votes cast) for senator in the Congress of the United States from the State of Virginia, for the term of six years, commencing on March 4, 1889.

The Journal of the House of Delegates of yesterday was read, from which it appeared that John S. Barbour had received 61 votes (being a majority of all the votes cast) for senator in the Congress of the United States from the State of Virginia, for the term of six years, commencing on March 4, 1889.

The PRESIDENT of the Joint Assembly then declared that John S. Barbour, having received a majority of all the votes cast in each house, was duly elected a senator in the Congress of the United States, from the State of Virginia, for the term of six years, commencing on March 4, 1889.

On motion of Mr. Hurt, the Joint Assembly adjourned *sine die.*

The SPEAKER assumed the chair.

No. 43. Senate bill entitled an act to amend section 1 of chapter 14 of an act to fix the times of holding the terms of the circuit court of Bedford county, approved 14th January, 1882, came up.

Mr. WEST moved to amend the bill by striking out "twenty-seventh" wherever it appears and insert in lieu thereof "first"; pending which,

On motion of Mr. FLOOD, the bill was recommitted to the committee for courts of justice.

Senate joint resolution as follows:

Resolved (the House of Delegates concurring), That any bondholder who may wish to fund his securities by or before the 31st

day of December, 1887, shall be at liberty to list them with the second auditor for funding as of said last named date, provided satisfactory evidence shall be furnished the second auditor before the 1st day of February, 1888, that the said securities had been shipped for funding not later than the 31st day of December, 1887.

—Came up.

On motions severally made by Mr. POLLARD the Senate joint resolution was amended as follows:

Strike out "That any bondholder" and insert "That any bondholders representing not less than five million dollars of bonds."

Add as an independent section the following: "This resolution shall be in force from its passage."

The Senate joint resolution as amended was disagreed to.

Senate joint resolution as follows:

Resolved (the House of Delegates concurring), That the treasurers of the various counties and cities of the State be empowered to receive from tax-payers who tendered coupons for taxes for the year 1886 payment thereof in money, and said treasurers shall account therefor as required by law in relation to other taxes: Provided, that all costs which may have accrued in relation to said taxes shall also be paid.

—Came up.

On motion of Mr. HAY, the resolution was amended by adding as an independent section the following: "This resolution shall be in force from its passage."

On motion of Mr. BUFORD, the resolution was committed to the committee on finance.

The following House engrossed bills were read a third time and passed:

No. 13. House bill to incorporate the town of Courtland in the county of Southampton.

No. 14. House bill to amend and re-enact section 12 of an act entitled an act for working and repairing the public roads of Grayson and Patrick counties, approved May 23, 1887.

Motions severally made to reconsider the votes by which House engrossed bills Nos. 13 and 14 were passed were rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time.

No. 6. House bill to amend section 2 of an act to incorporate the Warrenton and Marshall road company.

No. 17. House bill to amend and re-enact section 75 of chapter 78 of the Code of 1873 in regard to unexpended school funds.

No. 18. House bill requiring educational institutions, receiving State appropriations, to make annual reports to the board of education.

No. 15. House bill to authorize the board of supervisors of Culpeper and Orange counties to increase the salary of the judges of said counties was, on motion of Mr. HAY, committed to the committee for courts of justice.

No. 19. House bill to provide for the establishment of a reformatory for youthful criminals in Virginia was, on motion of Mr. HAY, postponed and made a special continuing order on Tuesday, January 10, 1888, at 1 o'clock P. M.

On motion of Mr. HERRING, the House adjourned until Wednesday, January 4, 1888.

WEDNESDAY, JANUARY 4, 1888.

Prayer by Rev. Dr. Geo. Cooper, of the Baptist church.

On motion of Mr. RYAN, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, Dec. 21, 1887.

The Senate have passed Senate bill entitled an act to incorporate the Dunlop & McCance milling and manufacturing company, No. 58.

They have passed House bills entitled an act to amend and re-enact sections 4202, 4203 and 4204 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved, May 16, 1887, No. 1; an act to authorize the board of supervisors of Loudoun county to borrow money to build a jail, No. 8; and an act to amend and re-enact sections 17 and 21 of an act approved April 2d, 1882, entitled an act to provide for the working of roads in the counties of Culpeper and Buckingham, No. 9.

In which Senate bill they respectfully request the concurrence of the House of Delegates.

No. 58. Senate bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. BUFORD requiring its reference to a committee.

Leave of absence was granted Messrs. ANDERSON of *Rockbridge*, one day, MOORE of *Pulaski and Giles*, two days, and JONES an indefinate leave.

The following were presented and referred under Rule 37:

By Mr. STARKE: A bill to incorporate the Berkley street railway company. Referred to the committee on roads and internal navigation.

By Mr. HOBSON: A bill to amend and re-enact sections 6 and 10, chapter 233, Acts of Assembly 1883 and 1884, entitled an act to incorporate the Farmville and Powhatan railroad company. Referred to the committee on roads and internal navigation.

By Mr. COLEMAN: A bill to incorporate the Danville and East Tennessee railroad company. Referred to the committee on roads and internal navigation.

By Mr. COLEMAN: A bill to incorporate the Danville and North Carolina railroad company. Referred to the committee on roads and internal navigation.

By Mr. BROWNE of *Nansemond:* A bill to amend and re-enact section 1 of an act to provide for the manner of choosing registrars and judges and clerks of election for the several counties and cities of the commonwealth, &c., &c., as passed at extra session 1884, page 146. Referred to the committee on privileges and elections.

By Mr. ALLENSWORTH: A bill to amend and re-enact section 28, chapter 194 of the Code of 1873, to prevent frauds on election laws. Referred to the committee on privileges and elections.

By Mr. ELAM: A bill to amend and re-enact sections 1, 2 and 5 of chapter 158 of the Acts of Assembly enacted at the extra session of 1884, in force November 29, 1884, creating electral boards and defining their duties and powers; to repeal and strike out section 3 of said chapter and enact a substitute therefor, and to repeal sections 14 and 15 of the same. Referred to the committee on privileges and elections.

By Mr. ELAM: A bill to facilitate voting by providing a voting place for every five hundred registered voters. Referred to the committee on privileges and elections.

By Mr. WADDILL: A bill appropriating money to pay for publishing the 82d, 83d and 84th volumes of Virginia Reports. Referred to the committee for courts of justice.

By Mr. ELAM: Joint resolutions proposing an amendment to the 15th section of article V of the Constitution of Virginia, with respect to the powers and duties of the General Assembly. Referred to the committee for courts of justice.

By Mr. WADDILL: A bill to secure to clerks, agents, workmen, servants and employees of every grade of service a lien upon the property of the person, firm or corporation for whom they work. Referred to the committee for courts of justice.

By Mr. TYLER of *Richmond:* A bill to exempt undertakers from jury service. Referred to the committee for courts of justice.

By Mr. BUFORD: A bill to repeal sections 10 and 11 of chapter 86, Code of 1873, and section 41 of chapter 86, Code of 1873, as amended and re-enacted by an act entitled an act to amend and re-enact section 41 of chapter 86, Code of 1873, in relation to inspections, approved April 2, 1874. Referred to the committee on propositions and grievances.

By Mr. CRAWFORD: A bill for the protection of fish in the waters of the commonwealth above tide-water. Referred to the committee on propositions and grievances.

By Mr. CATLETT: A bill to require insurance companies, operating upon the assessment plan, to make statements to policy-holders or members. Referred to the committee on propositions and grivances.

By Mr. TREAT: Petition of citizens of King William county praying for an amendment to the game laws relative to the county. Referred to the committee on propositions and grievances.

By Mr. BUFORD: A bill to incorporate the Virginia mining and manufacturing company. Referred to the committee on propositions and grievances.

By Mr. ELAM: A bill to amend and re-enact section 16 of an act to provide for the working and repairing of public roads and bridges, approved March 8th, 1884, and to repeal sections 17, 18 and 19 of said act. Referred to the committee on counties, cities and towns.

By Mr. HOBSON: A bill authorizing the counties of Cumberland and Powhatan to change the form of bonds subscribed to the Farmville and Powhatan railroad company. Referred to the committee on counties, cities and towns.

By Mr. HUFFMAN: A bill to enable the board of supervisors of Roanoke county to borrow money for the purpose of enlarging the clerk's office of said county and for other purposes. Referred to the committee on counties, cities and towns.

By Mr. BROWNE of *Nansemond:* A bill to make Nansemond river in the county of Nansemond, between certain points, a lawful fence. Referred to the committee on counties, cities and towns.

By Mr. MOORE of *Clarke and Warren:* A bill to authorize the board of supervisors of Clarke county to loan out certain money to the credit of the sinking fund provided for the redemption of the bonds of the county. Referred to the committee on counties, cities and towns.

By Mr. TYLER of *Richmond city:* A bill for furnishing the counties with 100 copies of J. H. Chataigne & Co.'s Virginia Business Directory and Gazetteer, 1888–89. Referred to the committee on finance.

By Mr. TYLER of *Richmond city:* Joint resolution respecting the quarters of the historical society. Referred to the committee on officers and offices at the capitol.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 58. Senate bill entitled an act to incorporate the Dunlop & McCance milling and manufacturing company, was read a third time and passed.

Mr. BUFORD moved to reconsider the vote by which the bill was passed; which motion was rejected.

The following House engrossed bills were read a third time and passed:

No. 6. House engrossed bill to amend section 2 of an act to incorporate the Warrenton and Marshall road company.

No. 18. House engrossed bill requiring educational institutions, receiving State appropriations, to make annual reports to the board of education.

Motions severally made to reconsider the votes by which House engrossed bills No. 6 and 18 were passed, were rejected.

No. 22. House bill to amend and re-enact an act to amend and re-enact section 1 of an act entitled an act to protect the fish in the waters of the Mattaponi and Pamunky rivers, approved March 3d, 1886, and approved May 23d, 1887, was read a second time.

On motion of Mr. TREAT, the bill was amended by adding at end of section 1, as proposed to be amended, the following: "All acts and parts of acts, inconsistent with this act, are hereby repealed."

The bill was ordered to be engrossed to be read a third time.

No. 24. House bill to amend an act respecting wild game in Loudoun county, approved January 21st, 1886, and ordered to be engrossed to be read a third time.

No. 17. House engrossed bill, was on motion of Mr. HAY, passed by.

Nos. 20, 21 and 25. House bills were, on motions severally made, passed by.

No. 26. House bill to exempt from taxation $2,500 worth of property of persons laboring under extreme physical dismemberment, was on motion of Mr. MCCANDLISH, dismissed.

No. 29. House bill to amend and re-enact an act entitled an act to allow mileage to jurors, approved February 25, 1884, was on motion of Mr. HAY, dismissed.

No. 30. House bill to provide just compensation for personal service or labor when exacted for public uses, was read a second time.

Mr. ELAM moved to amend the preamble by inserting after "United States" in second line the words, "And the Constitution of Virginia"; pending which,

Mr. ELAM moved to pass by the bill.

No quorum voting.

Mr. ECHOLS moved that the House do now adjourn; which motion was rejected—yeas 3; nays 52.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Dabney, J. S. Harris and Lyon G. Tyler—3.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baskerville, John A. Browne, Buford, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Echols, Edwards, Elam, Evans, Figgatt, Gordon, Graves, Hay, Herring, Hobson, Huffman, Johnson, Leggett, Loving, McCandlish, McKee, Montague, A. Moore, Jr., Mustain, Parr, Perkins, Porter, Quesenberry, Riner, Roane, Robinson, Ryan, Sanger, Silver, Simpson, Spencer, Starke, Tinsley, Treat, R. H. Tyler, Waddill, Watkins, Webb and Wright—52.

The motion by Mr. ELAM to pass by the bill was rejected—yeas 25; nays 31.

On motion of Mr. ELAM, the vote was recorded as follows:

YEAS—Messrs. Baskerville, John A. Browne, Catlett, Corbett, Elam, Evans, A. W. Harris, Herring, Johnson, McCandlish, Montague, Parr, Perkins, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, R. H. Tyler, Waddill and Webb—25.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Buford, Coleman, Counts, Crawford, Crismond, Dabney, Echols, Edwards, Figgatt, Gordon, Graves, J. S. Harris, Hay, Hobson, Huffman, Leggett, Loving, McKee, A. Moore, Jr., Mustain, Ryan, Silver, Simpson, Starke, Lyon G. Tyler, Watkins and Wright—31.

Mr. ELAM moved to postpone the bill and make it a special continuing order for Tuesday next at 1 o'clock P. M.; which motion was rejected—yeas 22; nays 32.

On motion of Mr. ELAM, the vote was recorded as follows:

YEAS—Messrs. Baskerville, John A. Browne, Corbett, Elam, Evans, A. W. Harris, Herring, McCandlish, Montague, Parr, Perkins, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, Waddill and Webb—22.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Buford, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Echols, Edwards, Figgatt, Gordon, Graves, J. S. Harris, Hay, Hobson, Huffman, Leggett, Loving, McKee, A. Moore, Jr., Mustain, Ryan, Silver, Simpson, Starke, Lyon G. Tyler, Watkins and Wright—32.

On motion of Mr. WADDILL, the bill was recommitted to the committee on counties, cities and towns.

On motion of Mr. WEBB, the House adjourned until to-morrow at 12 o'clock M.

THURSDAY, JANUARY 5, 1888.

On motion of Mr. WEBB, the reading of the Journal was dispensed with.

The following House bills, reported from the committee on roads and internal navigation, were read a first time:

No. 34. House bill to amend and re-enact an act to amend and re-enact section 1 of an act entitled an act to confirm a law passed by the Legislature of North Carolina entitled an act to incorporate the Elizabeth City and Norfolk railroad company (now the Norfolk Southern railroad company), ratified the 20th day of January, 1870, and a supplemental thereto ratified the 24th day of January, 1872, and approved on the 23d day of February, 1875, approved on the 3d day of March, 1882.

No. 35. House bill to amend and re-enact sections 2 and 5 of an act entitled an act to incorporate the Chowan and Southern railroad company, approved May 5, 1887, and to authorize the stockholders of said company to change its name to the Norfolk and Carolina railroad company.

No. 36. House bill to amend and re-enact the 11th section of the act approved May 12th, 1887, entitled an act to provide for the recovery, by motion, of taxes and certain debts due the common-

wealth, for the payment of which papers purporting to be genuine coupons of the commonwealth have been tendered, reported from the committee on finance, was read a first time.

No. 11. House bill to incorporate the Petersburg and Asylum railway company, heretofore recommitted to the committee on roads and internal navigation, was reported back.

No. 37. House bill to incorporate the Galilean fishermen relief association of the commonwealth of Virginia, placed on the calendar on motion of Mr. WADDILL, was read a first time.

Mr. TYLER of *Richmond city* offered the following concurrent resolution:

Resolved (the Senate concurring), That the General Assembly will proceed on Friday next, at one o'clock P M., to the election of city judges for the cities of Richmond, Norfolk, Portsmouth, Staunton, Danville and Fredericksburg, respectively, and a judge to hold courts of probate and record in the city of Richmond.

In the execution of this joint order the roll shall be called for each judge to be elected, after which a joint committee shall be appointed, consisting of three members of the House and two members of the Senate, who shall count and report the result of the elections to their respective Houses.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. TYLER of *Richmond city* moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. TYLER of *Richmond city* carry the resolution to the Senate and ask their concurrence.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate had agreed to the concurrent resolution of the House in relation to the election of certain judges, with amendments; in which they respectfully request the concurrence of the House.

The amendment of the Senate is as follows:

After "Friday next" insert "6th instant;" after "Portsmouth" insert "Petersburg."

—Were agreed to.

Mr. TYLER of *Richmond city* offered the following resolution:

Resolved (the Senate concurring), That the superintendent of public buildings be instructed to examine into, and make report as early as practicable to the General Assembly concerning the condition of the Washington monument in the public square.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

The following bills were presented and referred under Rule 37:

By Mr. TYLER of *Richmond city*: A bill to endow the Retreat for the sick. Referred to the committee on finance.

By Mr. CATLETT: A bill for the relief of William Morton, of Charlotte county. Referred to the committee on finance.

By Mr. PORTER: A bill to fine and imprison persons for keeping disorderly houses. Referred to the committee for courts of justice.

By Mr. PORTER: A bill to amend and re-enact section 10, chapter 11 of Acts 1877 and 1878, page 318, in relation to the sale of ardent spirits. Referred to the committee for courts of justice.

By Mr. HERRING: A bill to amend an act approved March 6th, 1886, &c., Acts 1885–'6, chapter 476, page 544, in relation to commissioners in chancery. Referred to the committee for courts of justice.

By Mr. PORTER: A bill to authorize the trustees of New Hope church, in Wythe county, to sell real estate and invest in other real estate. Referred to the committee for courts of justice.

By Mr. KINCHELOE: A bill to provide criminal penalties for maliciously cutting or killing a horse belonging to another. Referred to the committee for courts of justice.

By Mr. SEBRELL: A bill providing a special game law for Southampton county. Referred to the committee on propositions and grievances.

By Mr. SIMPSON: A bill to incorporate the Falls Church telephone company. Referred to the committee on propositions and grievances.

By Mr. TYLER of *Richmond city:* A bill to regulate railroads and transportation companies chartered by the commonwealth. Referred to the committee on roads and internal navigation.

By Mr. BRISTOW: Petition of citizens of Mathews and Middlesex asking that the present law permitting oystering in Chesapeake bay during the summer months be repealed. Referred to the committee on the Chesapeake and its tributaries.

By Mr. ROBERTS of *Smyth:* A bill granting a loan of arms of the State to the principal of Marion high school, in the county of Smyth. Referred to the committee on malitia and police.

The morning hour having expired, the House proceeded to the business on the calendar.

The following House engrossed bills were read a third time and passed:

No. 17. House engrossed bill to amend and re-enact section 75 of chapter 78 of the Code of 1873, in regard to unexpended school funds.

No. 22. House engrossed bill to amend and re-enact an act to amend and re-enact section 1 of an act entitled an act to protect the fish in the waters of the Mattaponi and Pamunky rivers, approved March 3, 1886, approved May 23, 1887.

No. 24. House engrossed bill to amend an act respecting wild game in Loudoun county, approved January 21, 1886.

Motions severally made to reconsider the vote by which House engrossed bills Nos. 17, 22 and 24 were passed were rejected.

No. 11. House bill to incorporate the Petersburg and Asylum railway company, was read a second time and ordered to be engrossed to be read a third time.

No. 20. House joint resolution was, on motion of Mr. BUFORD, passed by.

No. 25. House bill was, on motion of Mr. DABNEY, passed by.

No. 21. House bill to amend and re-enact section 4, chapter 471, page 539, Acts of 1885–'6, entitled an act to employ convict labor on county roads and other works of internal improvement, was read a second time.

Mr. WADDILL moved to amend by adding at the end of section 4, as proposed to be amended, the following: "Provided, that no such convicts shall be employed at a price less than eighty cents a day;" which was agreed to—yeas 39; nays 32.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Counts, Craft, Daingerfield, Dickey, Edwards, Elam, A. W. Harris, Herring, Johnson, McCandlish, McKee, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Silver, Spencer, Tinsley, Treat, Waddill, Watkins, Webb and Young—39.

NAYS—Messrs. Allensworth, D. W. Anderson, Arnold, Buford, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Figgatt, Gordon, Graves, J. S. Harris, Hay, Herbert, Huffman, Kincheloe, Morton, Mustain, Overby, Pilcher, J. Roberts, Ryan, Saunders, Sebrell, Simpson, Smith, Starke, Lyon G. Tyler, R. H. Tyler and Williams—32.

Mr. SILVER moved to reconsider the vote by which the amendment was agreed to.

Mr. ECHOLS moved to pass by the motion to reconsider; which motion was rejected—yeas 29; nays 47.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Arnold, Buford, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Gordon, Hay, Herbert, Kincheloe, McKee, A. Moore, Jr., Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Sebrell, Simpson, Smith, Starke, Lyon G. Tyler and Williams—29.

NAYS—Messrs. Speaker, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Counts, Craft, Daingerfield, Dickey, Edwards, Elam, Figgatt, Graves, A. W. Harris, J. S. Harris, Herring, Huffman, Johnson, Leggett, Loving, McCandlish, McNeil, Montague, William L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Silver, Spencer, Tinsley, Treat, R. H. Tyler, Waddill, Watkins, Webb, Wright and Young—47.

The motion by Mr. SILVER to reconsider the vote by which the amendment was agreed to, was agreed to—yeas 44; nays 35.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmond-

son, Edwards, Ewell, Figgatt, Gordon, Graves, Hay, Herbert, Huffman, Kincheloe, Leggett, McKee, A. Moore, Jr., Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Lyon G. Tyler, R. H. Tyler, Williams and Wright—44.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Daingerfield, Dickey, Elam, A. W. Harris, J. S. Harris, Herring, Johnson, Loving, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Spencer, Treat, Waddill, Watkins, Webb and Young—35.

Mr. DABNEY moved to commit the bill to the committee on counties, cities and towns; which motion was rejected.

Mr. DABNEY moved to reconsider the vote by which the House refused to commit the bill; which motion was agreed to—yeas 46; nays 32.

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, Hay, Herbert, Huffman, Johnson, Kincheloe, Leggett, McKee, A. Moore, Jr., Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler, Williams and Wright—46.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Daingerfield, Dickey, Elam, A. W. Harris, J. S. Harris, Herring, Loving, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Robinson, Sanger, Spencer, Treat, Waddill, Watkins, Webb and Young—32.

The question recurring on agreeing to the motion by Mr. DABNEY, to committ the bill to the counties, cities and towns, was put and decided in the affirmative—yeas 45; nays 32.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, Hay, Herbert, Huffman, Johnson, Kincheloe, Leggett, McKee, A. Moore, Jr., Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Smith, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler, Williams and Wright—45.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Daingerfield, Dickey, Elam, A. W. Harris, J. S. Harris, Herring, Loving, McCandlish, McNeil, Montague, William L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Robinson, Sanger, Spencer, Treat, Waddill, Watkins, Webb and Young—32.

Mr. BUFORD moved that No. 36, House bill to amend and re-enact section 11 of the act approved May the 12th, 1887, entitled an act to provide for the recovery, by motion, of taxes and certain debts due the commonwealth, for the payment of which papers purporting to be genuine coupons of the commonwealth have been tendered, be read a second time this day; which was agreed to, two-thirds in the House so determining.

The bill was read a second time, and ordered to be engrossed to be read a third time.

Mr. MOORE of *Clarke and Warren* entered a motion to reconsider the vote by which the bill was ordered to be engrossed.

On motion of Mr. ALLENSWORTH, the House adjourned until to-morrow at twelve o'clock M.

FRIDAY, JANUARY 6, 1888.

Prayer by Rev. Dr. George Cooper, of the Baptist church.

On motion of Mr. WEBB, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 5, 1888.

The Senate have passed Senate bill entitled an act to incorporate the Bank of Christiansburg, No. 64; in which they respectfully request the concurrence of the House of Delegates.

No. 64. Senate bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. HUFFMAN, requiring its reference to a committee.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 38. House bill to prescribe a rule of evidence in certain cases.

No. 39. House bill appropriating money to pay for publishing the 82d, 83d and 84th volumes of Virginia Reports.

No. 40. House bill to incorporate the Great Southern railway company, reported from the committee on roads and internal navigation, was read a first time.

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 41. House bill entitled an act to incorporate the Newport News cemetery company.

No. 42. House bill to prevent fraud in the sale of lard.

No. 43. House bill to prevent the pollution of drinking water in this State.

No. 44. House bill to incorporate the Farmers' benevolent fire association of Franklin county.

No. 45. House bill to incorporate the Virginia and Pennsylvania iron and coal company.

No. 46. House bill to incorporate the Loudoun creamery association.

No. 47. House bill to amend and re-enact an act entitled an act to incorporate the Rappahannock valley agricultural and mechanical

society of Fredericksburg (with a recommendation that it do not pass).

Mr. MARTIN, under a suspension of the rules, presented the following bills, which were read a first time:

No. 48. House bill to incorporate the Christian multitude of Norfolk county.

No. 49. House bill to incorporate the Berkley and Currituck turnpike company.

Mr. OVERBY moved to suspend the rule to have placed *on the* calendar a bill for working and repairing the public roads *of Nottoway* county; which motion was rejected, not two-thirds voting in the affirmative.

The bill was referred to the committee on counties, cities and towns.

Mr. ROBINSON stated that had he been present when the vote was taken on the election of a senator in the Congress of the United States, he would have voted for William Mahone.

Mr. ASH offered the following resolution:

Whereas some twenty or more students of the Virginia normal and collegiate institute, including the entire senior class, have left said institute, alleging as a reason for leaving that they have been directed by the president of the said institute to recite to a professor who has in effect been convicted of immoral conduct towards one of the lady teachers in said institute; therefore, be it

Resolved, That the committee on schools and colleges of this House be directed to investigate at once the cause of the trouble at the said school, and report to this House.

The House referred the resolution to the committee on schools and colleges.

The following were presented and referred under Rule 37:

By Mr. CURTIS: Resolved, That the committee on Chesapeake and its tributaries enquire into the expediency of reporting a bill that will so amend the acts in relation to the preservation of oysters, &c., as to provide a special revenue sufficient to pay all the expenses attending the costs of maintaining the steamer Chesapeake and the protection of oysters. Referred to the committee on Chesapeake and its tributaries.

By Mr. WILKINS: A bill to authorize Christian Hanson to erect a wharf in front of his store for shipping oysters. Referred to the committee on Chesapeake and its tributaries.

By Mr. SAUNDERS: A bill to extend the time of settlement of P. D. Divers, late treasurer of Franklin county, with the supervisors of his said county. Referred to the committee on finance.

By Mr. WADDILL: A bill to provide additional compensation for N. W. Bowe for services rendered to the commonwealth of Virginia. Referred to the committee on finance.

By Mr. OVERBY: A bill to give aid to the widow of any citizen of Virginia who was killed or have died from wounds received while

serving as a soldier or marine in the late war. Referred to the committee on finance.

By Mr. ANDERSON of *Fluvanna:* A resolution as to the expediency of extending the time for the exercise of certain rights of delinquent land owners. Referred to the committee on finance.

By Mr. MOORE of *Clark and Warren:* A bill to amend and re-enact sections 1165 and 1166 of chapter 48, Code of Virginia of 1887, prescribing qualifications of bank directors. Referred to the committee on banks, currency and commerce.

By Mr. HUFFMAN: A bill amending and re-enacting section 3 of chapter 184 of the Code of Virginia of 1873, in relation to how lien may be acquired on debtors' whole personal estate. Referred to the committee for courts of justice.

By Mr. CATLETT: A bill to provide for abating public nuisances and to recover damages for injury thereby. Referred to the committee for courts of justice.

By Mr. CARDWELL: A bill to amend and re-enact section 26 of chapter 188, Code of Virginia of 1873, as amended by section 27 of chapter 3 of the Acts of 1877 and 1878, in relation to poisoning horses, and approved March 14th, 1878. Referred to the committee for courts of justice.

By Mr. ELAM: A bill to provide a lien on colts until three months of age. Referred to the committee for courts of justice.

By Mr. JOHNSON: A bill to impose a fine for using insulting language which leads to a breach of the peace. Referred to the committee for courts of justice.

By Mr. CURTIS: A resolution concerning the appointment of a State police by the governor. Referred to the committee on officers and offices of the capitol.

By Mr. JOHNSON: A petition of the students of the medical college of Virginia praying that the graduates of the chartered medical institutions of Virginia be exempt from standing an examination before the State board of medical examiners. Referred to the committee on propositions and grievances.

By Mr. SAUNDERS: A bill to amend the game law of 1883–'4. Referred to the committee on propositions and grievances.

By Mr. PEDIGO: A bill to amend and re-enact section 3 of an act approved February 18, 1886, entitled an act for the better protection of game in Henry county. Referred to the committee on counties, cities and towns.

By Mr. COLEMAN: A bill for the protection of game in the county of Pittsylvania. Referred to the committee on counties, cities and towns.

By Mr. HERBERT: A bill to authorize the council of the city of Portsmouth to issue bonds for the purpose of retiring and refunding certain outstanding bonds of said city. Referred to the committee on counties, cities and towns.

By Mr. OVERBY: A bill for working and repairing the public roads in Nottoway county. Referred to the committee on counties, cities and towns.

By Mr. SANGER: A bill to amend and re-enact an act for the establishment of a true meridian line in each county of the commonwealth east of the Alleghany mountains, approved March 25, 1875. Referred to the committee on counties, cities and towns.

By Mr. PARR: A bill to limit passenger fare on all railroads in the State of Virginia to three cents per mile. Referred to the committee on roads and internal navigation.

By Mr. ARNOLD: A bill to regulate commerce in the State of Virginia. Referred to the committee on roads and internal navigation.

The committee on enrolled bills report that the governor has approved the following bills:

An act to amend and re-enact section 1 of an act entitled an act to incorporate the Bristol-Goodson water company, approved May 20, 1887.

An act to declare valid the deed from the trustees of St. Luke's Protestant Episcopal church, in Amherst county, to G. D. Merriwether.

An act to amend and re-enact sections 4202, 4203 and 4204 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

An act to authorize the board of supervisors of Loudoun county to borrow money to build a jail.

The morning hour having expired, the House proceeded to the business on the calendar.

The motion entered by Mr. MOORE of *Clarke and Warren*, to reconsider the vote by which No. 36, House bill to amend and re-enact the 11th section of the act approved May the 12th, 1887, entitled an act to provide for the recovery, by motion, of taxes and certain debts due the commonwealth, for the payment of which papers purporting to be genuine coupons of the commonwealth have been tendered, was ordered to be engrossed, was agreed to.

The question recurring on ordering the bill to be engrossed, on motion of Mr. MOORE of *Clarke and Warren*, the bill was amended, by adding, at the end of the 11th section, as proposed to be amended, the following:

"Provided, That nothing herein shall be considered as relieving any such party so paying his taxes from liability for any costs already incurred in any proceedings against him under this act."

The bill being presently engrossed.

Mr. BUFORD moved that the bill be read a second time this day; which motion was agreed to, two-thirds in the House so determining.

The bill was read a third time and passed.

Mr. BUFORD moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. BUFORD carry the bill to the Senate and request their concurrence.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had passed Senate bill entitled an act to provide compensation to members of the special joint committee acting under resolution of February 8th, 1886, and the accountant of said committee, No. 24; in which they request the concurrence of the House.

A message was received from the Senate by Mr. Hubard, who informed the House that the Senate had passed Senate bill entitled an act to amend and re-enact the 5th and 7th sections of the charter of the Farmville and Charlottesville railroad company, as amended and re-enacted by the act of assembly, approved the 18th day of May, 1887, No. 3; in which they request the concurrence of the House.

No. 64. Senate bill entitled an act to incorporate the Bank of Christiansburg, was read a third time and passed.

Mr. HUFFMAN moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 11. House engrossed bill to incorporate the Petersburg and Asylum railway company, was read a third time and passed.

Mr. MCCANDLISH moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. MCCANDLISH carry the bill to the Senate and request their concurrence.

No. 20. House joint resolution was, on motion of Mr. BUFORD, passed by.

No. 25. House bill was, on motion of Mr. DABNEY, passed by.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 27. House bill for the relief of Wm. Scroggin, late treasurer of Warren county.

No. 28. House bill authorizing the clerk of King William county to transcribe and re-enter the mutilated records of the county.

No. 32. House bill to authorize the board of supervisors of Charlotte county to issue bonds for the purchase of a farm for the reception of the poor of said county.

No. 33. House bill to amend and re-enact an act approved February 24, 1886, providing for working and keeping in order the public roads of Nansemond county.

The hour of one o'clock P. M. having arrived,

Ordered, That Mr. ECHOLS inform the Senate that the House is ready on its part to proceed to the execution of the joint order, which has for its object the election of certain judges.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate is ready on its part to proceed to the execution of the joint order.

Mr. TYLER of *Richmond city* nominated Samuel B. Witt for the office of city judge for Richmond.

Mr. WADDILL nominated Thomas S. Atkins.

Ordered, That Mr. TYLER of *Richmond city* inform the Senate that Samuel B. Witt and Thomas S. Atkins are in nomination in the House.

A message was received from the Senate by Mr. Lovenstein, who informed the House that Samuel B. Witt and Thomas S. Atkins are in nomination in the Senate.

The roll was called with the following result:

For Samuel B. Witt,	- - -	55
Thomas S. Atkins,	- - -	33

The vote was recorded as follows:

For SAMUEL B. WITT—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Parr, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Wilkins, Williams and Wright—55.

For THOMAS S. ATKINS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Martin, McCandlish, McNeil, Montague, Wm. L. Moore, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, Waddill, Webb and Young—33.

Mr. EDWARDS nominated D. Tucker Brooke for city judge for Norfolk.

Mr. BROWNE of *Nansemond* nominated Thomas R. Borland.

Ordered, That Mr. EDWARDS inform the Senate that D. Tucker Brooke and Thomas R. Borland are in nomination in the House.

A message was received from the Senate by Mr. Hodges, who informed the House that D. Tucker Brooke and Thomas R. Borland are in nomination in the Senate.

The roll was called with the following result:

For D. Tucker Brooke,	- - -	54
Thomas R. Borland,	- - -	31

The vote was recorded as follows:

For D. TUCKER BROOKE—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving,

McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—54.

For THOMAS R. BORLAND—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Martin, McCandlish, McNeil, Montague, Parr, Pedigo, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, Webb and Young—31.

Mr. HERBERT nominated A. S. Watts for city judge for Portsmouth.

Mr. MARTIN nominated C. W. Murdaugh.

Ordered, That Mr. HERBERT inform the Senate that A. S. Watts and C. W. Murdaugh are in nomination in the House.

A message was received from the Senate by Mr. Heaton, who informed the House that A. S. Watts and C. W. Murdaugh are in nomination in the Senate.

The roll was called with the following result:

For A. S. Watts,	- - - -	54
C. W. Murdaugh,	- - -	33

The vote was recorded as follows:

For A. S. WATTS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, Porter, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—54.

For C. W. MURDAUGH—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Martin, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, Waddill, Webb and Young—33.

Mr. DUPUY nominated D. M. Bernard for city judge for Petersburg.

Mr. MCCANDLISH nominated George S. Bernard.

Ordered, That Mr. MCCANDLISH inform the Senate that D. M. Bernard and George S. Bernard are in nomination in the House.

A message was received from the Senate by Mr. Reid, who informed the House that D. M. Bernard and George S. Bernard are in nomination in the Senate.

The roll was called with the following result:

For D. M. Bernard,	- - - -	54
George S. Bernard,	- - -	32

The vote was recorded as follows:

For D. M. BERNARD—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—54.

For GEORGE S. BERNARD—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Daingerfield, Dickey, Elam, A. W. Harris, Herring, Jarratt, Martin, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, Waddill and Young—32.

Mr. ECHOLS nominated Charles Grattan for city judge for Staunton.

Mr. MCCANDLISH nominated Charles Curry.

Ordered, That Mr. ECHOLS inform the Senate that Charles Gattan and Charles Curry are in nomination in the House.

A message was received from the Senate by Mr. Hubard, who informed the House that Charles Grattan and Charles Curry are in nomination in the Senate.

The roll was called with the following result:

For Charles Grattan, - - - -	54
Charles Curry, - - - -	29

The vote was recorded as follows:

For CHARLES GRATTAN—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—54.

For CHARLES CURRY—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Martin, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Spencer, Treat, Waddill and Young—29.

Mr. COLEMAN nominated A. M. Aiken for city judge of Danville.

Mr. PARR nominated John D. Blackwell.

Ordered, That Mr. COLEMAN inform the Senate that A. M. Aiken and John D. Blackwell are in nomination in the House.

A message was received from the Senate by Mr. Houston, who informed the House that A. M. Aiken and John D. Blackwell are in nomination in the Senate.

The roll was called with the following result:

For A. M. Aiken, - - - -	55
John D. Blackwell, - - - -	30

The vote was recorded as follows:

For A. M. AIKEN—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, A. W. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—55.

For JOHN D. BLACKWELL—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Martin, McCandlish, McNeil, Montague, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Sanger, Spencer, Treat, Webb and Young—30.

Mr. CRISMOND nominated A. W. Wallace for the city judge of Fredericksburg.

Mr. MONTAGUE nominated Montgomery Slaughter.

Ordered, That Mr. CRISMOND inform the Senate that A. W. Wallace and Montgomery Slaughter are in nomination in the House.

A message was received from the Senate by Mr. McDonald, who informed the house that A. W. Wallace and Montgomery Slaughter are in nomination in the Senate.

The roll was called with the following result:

For A. W. Wallace,	-	-	-	54
Montgomery Slaughter,	-	-	-	27

The vote was recorded as follows:

For A. W. WALLACE—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Figgatt, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright—54.

For MONTGOMERY SLAUGHTER—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Daingerfield, Dickey, Elam, A. W. Harris, Herring, Martin, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Porter, Robinson, Sanger, Spencer, Treat, Webb and Young—27.

Mr. BUFORD nominated E. H. Fitzhugh for the office of judge to hold courts of probate and record in the city of Richmond.

Mr. ELAM nominated Henry Hudnall.

Ordered, That Mr. BUFORD inform the Senate that E. H. Fitzhugh and Henry Hudnall are in nomination in the House.

A message was received from the Senate by Mr. Ellyson, who informed the House that E. H. Fitzhugh and Henry Hudnall are in nomination in the Senate.

The roll was called with the following result:

For E. H. Fitzhugh, - - -	54
Henry Hudnall, - - - -	28

The vote was recorded as follows:

For E. H. FITZHUGH—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—54.

For HENRY HUDNALL—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Martin, McCandlish, McNeil, Montague, William L. Moore, Parr, Pedigo, Phillips, Quesenberry, Roane, Robinson, Tinsley, Treat, Waddill, Webb and Young—28.

THE SPEAKER appointed Messrs. DUPUY, EWELL and ROANE the committee on the part of the House to count and report the joint votes.

The committee subsequently, by its chairman, reported as follows:

For city judge for Richmond:

Whole number of votes cast, - -	120
Necessary to a choice, - - -	61
Samuel B. Witt received - - -	75
Thomas S. Atkins, - - - -	45

For city judge for Norfolk:

Whole number of votes cast, - -	117
Necessary to a choice, - - -	59
D. Tucker Brooke received - - -	73
Thomas R. Borland, - - -	44

For city judge for Portsmouth:

Whole number of votes cast, - -	*119*
Necessary to a choice, - - -	*60*
A. S. Watts received - - -	73
C. W. Murdaugh, - - - -	46

For city judge for Petersburg:

Whole number of votes cast, - -	116
Necessary to a choice, - - -	59
D. M. Bernard received - - -	72
George S. Bernard, - - - -	44

For city judge for Staunton:

Whole number of votes cast,	113
Necessary to a choice	57
Charles Grattan received	72
Charles Curry,	41

For city judge for Danville:

Whole number of votes cast,	117
Necessary to a choice,	59
A. M. Aiken received	74
John D. Blackwell,	43

For city judge for Fredericksburg:

Whole number of votes cast,	113
Necessary to a choice,	57
A. W. Wallace received	73
Montgomery Slaughter,	40

For judge to hold courts of probate and record in Richmond city:

Whole number of votes cast,	113
Necessary to a choice,	57
E. H. Fitzhugh received	72
Henry Hudnall,	41

Messrs. Samuel B. Witt, D. Tucker Brooke, A. S. Watts, D. M. Bernard, Charles Grattan, A. M. Aiken and A. W. Wallace, having each received a majority of all the votes cast for the offices of city judges for the cities of Richmond, Norfolk, Portsmouth, Petersburg, Staunton, Danville and Fredericksburg, respectively, were declared duly elected city judges for the cities above named, respectively, for the terms prescribed by law.

E. H. Fitzhugh having received a majority of all the votes cast for the office of judge, to hold courts of probate and record in the city of Richmond, was declared duly elected to said office for the term prescribed by law.

On motion of Mr. WEBB, the House adjourned until to-morrow at twelve o'clock M.

SATURDAY, JANUARY 7, 1888.

Prayer by Rev. Dr. Geo. Cooper, of the Baptist church.

On motion of Mr. CATLETT, the reading of the *Journal* was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 6, 1888.

The Senate have passed Senate bills entitled an act for the relief of Walter S. Phillips, No. 47; and an act for the relief of John Collins from the payment of a fine and costs imposed by the county court of Grayson county, No. 48.

They have agreed to Senate joint resolution instructing our senators and requesting our representatives in the Congress of the United States to secure an appropriation for the equipment of a national quarantine at or near Cape Charles.

In which bills and joint resolution they respectfully request the concurrence of the House of Delegates.

Nos. 47 and 48. Senate bills, were read twice and referred to the committee on finance.

Senate joint resolution instructing our senators and requesting our representatives in the Congress of the United States to secure an appropriation for the equipment of a national quarantine at or near Cape Charles, was read twice and referred to the committee on federal relations and resolutions.

No. 3. Senate bill entitled an act to amend and re-enact the 5th and 7th sections of the charter of the Farmville and Charlottesville railroad company as amended and re-enacted by the act of Assembly, approved the 18th day of May, 1887, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. DUPUY, requiring its reference to a committee.

No. 24. Senate bill entitled an act to provide compensation to members of the special joint committee acting under resolution of February 8th, 1886, and the accountant of said committee, was read twice and referred to the committee on finance.

The following House bills, reported from committee on roads and internal navigation, were read a first time:

No. 50. House bill to incorporate the Berkley street railway company.

No. 51. House bill to incorporate the Norfolk and Cape Henry railway and hotel company.

No. 52. House bill to incorporate the Virginia safety deposit and trust company of Richmond, reported from the committee on banks, currency and commerce, was read a first time.

The following House bills, reported from the committee on counties, cities and towns, were read a first time.

No. 53. House bill to amend and re-enact section 1 of chapter 50, extra session of 1884, and to amend and re-enact section 1 of chapter 377, approved March, 1886, in relation to records in the clerk's office of Rockingham county.

No. 54. House bill to enable the board of supervisors of Roanoke county to borrow money for the purpose of enlarging the clerk's office of said county and for other purposes.

No. 55. House bill to authorize the board of supervisors of Clarke county to loan out certain money to the credit of the sinking fund, provided for the redemption of the bonds of the county.

No. 56. House bill to make Nansemond river, in the county of Nansemond, between certain points, a lawful fence.

No. 57. House bill authorizing the counties of Cumberland and Powhatan to change the form of bonds subscribed to the Farmville and Powhatan railroad company.

No. 58. House bill to authorize the board of supervisors of Halifax county to issue its warrant on the treasurer of said county in favor of Jos. C. Walker for the sum of thirty-five dollars ($35.00), with interest from February 9th, 1871.

No. 59. House bill to amend and re-enact section 8 of chapter 61 of the Code of Virginia, as amended and re-enacted by an act approved March 9th, 1880, March 30th, 1887, and May 21st, 1887, in relation to turnpikes.

The following House bills, reported from the committee on finance, were read a first time:

No. 60. House bill to empower the auditor to issue a duplicate of warrant No. 8,786.

No. 61. House bill to extend the time of settlement of P. D. Divers, late treasurer of Franklin county, with the supervisors of his county.

No. 62. House bill to provide additional compensation for N. W. Bowe for services rendered to the commonwealth of Virginia.

No. 63. House bill to relieve Mrs. Maria Simpson Throgmorton, of Henrico county, of taxes improperly paid by her.

No. 64. House bill to provide for the payment of the expenses of the circuit court for Frederick county, placed on the calendar on motion of Mr. SILVER, was read a first time.

Mr. FIGGATT offered the following resolution:

Resolved, That the committee on schools and colleges be instructed and empowered to appoint a sub-committee, not exceeding seven of its members, to visit the Virginia agricultural and mechanical college at Blacksburg and State female normal school, and report upon the condition and the needs of said institutions; and also a sub-committee to visit the Virginia normal and collegiate institute for the same purpose.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. DABNEY, from the committee on roads and internal navigation, asked that a bill to regulate commerce in the State of Virginia be

printed for the use of the committee, which request the House granted.

The following were presented and referred under Rule 37:

By Mr. DUPUY: A bill to amend and re-enact sections 1, 2, 3 and 18 of chapter 264 of Acts of Assembly 1878–'9, as amended by chapter 61 of Acts of Assembly 1885–'6, entitled an act to provide for working and keeping the public roads in order in Prince Edward county. Referred to the committee on counties, cities and towns.

By Mr. MCKEE: A bill to authorize the board of supervisors of Rockbridge county to establish a free ferry over James river at or near Glenwood depot. Referred to the committee on counties, cities and towns.

By Mr. WEST: A bill to amend and re-enact section 1 of chapter 155 of Acts 1884, extra session, entitled an act to amend and re-enact section 1 of an act entitled an act for making and repairing division fences between coterminous land owners in the counties of Alleghany, Bath, Botetourt, Highland, Rockbridge, Loudoun, Frederick, Nelson, Clarke, Pittsylvania, Carroll, Craig, Rockingham and Scott, approved March 6, 1882, and as amended and re-enacted by an act approved April 14th, 1882. Referred to the committee on counties, cities and towns.

By Mr. MARTIN: A bill to amend and re-enact section 1 of an act approved March 10th, 1884, entitled an act to amend and re-enact section 1 of an act approved April 14th, 1882, entitled an act to amend and re-enact an act passed March 3d, 1880, entitled an act to amend and re-enact an act passed April 2d, 1879, authorizing the board of supervisors to determine what amount shall be paid to certain county officers. Referred to the committee on counties, cities and towns.

By Mr. MCCANDLISH: A bill to amend section 2 of an act entitled an act to amend and reduce into one act the several acts for opening and extending the navigation of Appomattox river, approved 21st December, 1795. Referred to the committee on roads and internal navigation.

By Mr. MCCANDLISH: A bill to facilitate the transfer of shares in the Upper Appomattox company, and to provide for changing the same from real to personal estate, and to authorize the said company to mortgage its property and franchises. Referred to the committee on roads and internal navigation.

By Mr. MCCANDLISH: A bill to amend section 1 of an act entitled an act to reduce the number of trustees in the Upper Appomattox company, passed December 23d, 1797. Referred to the committee on roads and internal navigation.

By Mr. CARDWELL: A bill to amend and re-enact sections 8 and 12 of chapter 61, Code of 1873, as amended by an act approved March 9th, 1880, as amended by an act approved March 30th, 1887, as amended by an act approved May 21st, 1887, in relation to turn-

pike companies. Referred to the committee on roads and internal navigation.

By Mr. A. MOORE, Jr., of *Clarke:* A bill to amend and re-enact section 16 of chapter 99, Code of 1873, in relation to wild foul, as amended and re-enacted by an act approved March 3, 1886. Referred to the committee on propositions and grievances.

By Mr. ALLENSWORTH: A bill providing a special game law for the county of Caroline. Referred to the committee on propositions and grievances.

By Mr. POLLARD: A bill to authorize the county school board of Northumberland county to use a portion of the county school fund for the erection of school houses in Lottsburg school district. Referred to the committee on schools and colleges.

By Mr. POLLARD: A bill to authorize the county school board of Richmond county to appropriate one hundred dollars of the county school fund to the erection of a school house in Stonewall school district of said county. Referred to the committee on schools and colleges.

By Mr. DUPUY: To amend and re-enact section 1st of chapter 124 of Acts of Assembly, 1874, entitled an act to prevent the sale of intoxicating liquors to minors. Referred to the committee for courts of justice.

By Mr. ALLENSWORTH: A bill to amend the law in relation to compensation of clerks of circuit courts. Referred to the committee for courts of justice.

By Mr. HERRING: A bill prohibiting corporations from making special contracts exempting from liability for injuries sustained by their employees. Referred to the committee for courts of justice.

By Mr. SAUNDERS: A bill to amend section 2899 of the Code of 1887, in relation to limited partnerships. Referred to the committee for courts of justice.

By Mr. STARKE: A bill providing for the appointment of agents to prosecute the settlement of certain claims against the government of the United States. Referred to the committee on federal relations and resolutions.

By Mr. ANDERSON of *Fluvanna*: A bill to amend section 7 of an act in reference to delinquent lands, approved February 8th, 1886, so as to extend the time for the exercise of certain rights of the owners of such lands. Referred to the committee on finance.

By Mr. HAY: A bill for the relief of John J. Offield. Referred to the committee on finance.

By Mr. CURTIS: A bill to regulate the practice of veterinary surgeons and imposing a tax on the same. Referred to the committee on finance.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 3. Senate bill entitled an act to amend and re-enact the 5th and 7th sections of the charter of the Farmville and Charlottesville

railroad company, as amended and re-enacted by the act of assembly approved the 18th day of May, 1887, was read a third time and passed.

Mr. DUPUY moved to reconsider the vote by which the bill was passed; which motion was rejected.

A message was received from the Senate by Mr. Ellyson, who informed the House that the Senate had passed House bill entitled an act to incorporate the Confederate soldiers' and sailors' monumental association, with an amendment to the title; in which they respectfully request the concurrence of the House of Delegates.

The following House engrossed bills were read a third time and passed:

No. 27. House engrossed bill for the relief of Wm. Scroggin, late treasurer of Warren county.

No. 32. House engrossed bill to authorize the board of supervisors of Charlotte county to issue bonds for the purchase of a farm for the reception of the poor of said county.

Motions severally made to reconsider the vote by which House engrossed bills Nos. 27 and 32 were passed were rejected.

No. 28. House engrossed bill authorizing the clerk of King William county to transcribe and re-enter the mutilated records of the county, came up.

On motion of Mr. POLLARD, the bill was recommitted to the committee for courts of justice—yeas 50; nays 30.

On motion of Mr. TREAT, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Edmondson, Ewell, Figgatt, Flood, Graves, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Saunders, Sebrell, Simpson, Smith, Starke, Terrell, Treat, R. H. Tyler, West, Wilkins, Willams and Wright—50.

NAYS—Messrs. Ash, Baskerville, Bristow, Craft, Daingerfield, Elam, Evans, A. W. Harris, Herring, Martin, Mayo, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Waddill, Webb and Young—30.

Mr. TREAT moved to reconsider the vote by which the House recommitted the bill.

The SPEAKER ruled the motion out of order.

Mr. ELAM appealed from the decision of the chair.

The question being, Shall the decision of the chair stand as the judgment of the House, was put and decided in the affirmative.

No. 33. House engrossed bill was, on motion of Mr. HERBERT, passed by.

No. 25. House bill was, on motion of Mr. DABNEY, passed by.

No. 20. House joint resolution in relation to a temporary suspension of litigation in regard to the public debt, was, on motion of Mr. BUFORD, dismissed.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 38. House bill to prescribe a rule of evidence in certain cases.

No. 39. House bill appropriating money to pay for publishing the 82d, 83d and 84th volumes of Virginia Reports.

No. 42. House bill to prevent fraud in the sale of lard.

No. 43. House bill to prevent the pollution of drinking water in this State, was, on motion of Mr. BUFORD, recommitted to the committee on propositions and grievances.

On motion of Mr. MARTIN the House adjourned until Monday next at 12 o'clock M.

MONDAY, JANUARY 9, 1888.

On motion of Mr. KINCHELOE, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 7, 1888.

The Senate have passed House bill entitled an act to amend the 2d section of an act to incorporate the Warrenton and Marshall road company, No. 6; and Senate bill entitled an act to amend and re-enact section 1 of an act approved May 18, 1887, entitled an act to authorize a subscription by the county of Chesterfield to the stock of the Petersburg and Chesterfield railroad company and its branches, No. 55; in which they respectfully request the concurrence of the House of Delegates.

No. 55. Senate bill was read twice and referred to the committee on counties, cities and towns.

No. 4. House bill entitled an act to incorporate the Confederate soldiers' and sailors' monumental association, (with an amendment of the Senate to the title), was placed on the calendar, the rule having been suspended, on motion of Mr. ECHOLS, requiring its reference to a committee.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 65. House bill to provide for the payment of justices of the peace, witnesses and physicians in certain cases.

No. 66. House bill to fine and imprison persons for keeping disorderly houses (with a recommendation that it do not pass).

No. 67. House bill to amend and re-enact section 10, chapter 11 of Acts of 1877–'8, page 318, in relation to sale of ardent spirits (with a recommendation that it do not pass).

No. 68. House bill to authorize the trustees of New Hope church, in Wythe county, to sell real estate and invest in other real estate (with a recommendation that it do not pass).

No. 69. House bill to impose a fine for using insulting language which leads to a breach of the peace.

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 70. House bill to incorporate the Virginia mining and manufacturing company.

No. 71. House bill for the protection of game in the county of Pittsylvania.

No. 72. House bill to amend and re-enact section 3 of an act approved February 18, 1886, entitled an act for the better protection of game in Henry county.

No. 43. House bill to prevent the pollution of drinking water in this State, heretofore recommitted to the committee on propositions and grievances, was reported back with an amendment.

No. 19. Senate bill to prevent county, district, school and corporation officers and school trustees from purchasing county and corporation warrants and school claims, was reported from the committee on schools and colleges.

No. 73. House bill to amend and re-enact section 1 of chapter 155 of Acts of 1884, extra session, entitled an act to amend and re-enact section 1 of an act entitled an act for making and repairing division fences between coterminous land owners in the counties of Alleghany, Bath, Botetourt, Highland, Rockbridge, Loudoun, Frederick, Nelson, Clarke, Pittsylvania, Carroll, Craig, Rockingham and Scott, approved March 6th, 1882, and as amended and re-enacted by an act approved April 14th, 1882, reported from the committee on counties, cities and towns, was read a first time.

The following House bills, reported from the committee on schools and colleges, were read a first time:

No. 74. House bill to authorize the county school board of Northumberland county to use a portion of the county school fund for the erection of school houses in Lottsburg school district.

No. 75. House bill to authorize the school board of Richmond county to appropriate one hundred dollars of the county school fund to the erection of a school-house in Stonewall school district of said county.

No. 76. House bill providing compensation to trustees of public free schools (with a recommendation that it do not pass).

Mr. CORBETT, under a suspension of the rules, presented No. 77, House joint resolution instructing our senators and requesting our representatives in Congress to urge and vote for an appropriation for the purpose of establishing suitable works in Virginia for the manufacture of sugar from sorghum, and also for a school where the process can be taught, which was read a first time.

Mr. TYLER of *Richmond city* offered the following resolution:

Resolved, That the Virginia historical society be permitted the use of the hall of the House of Delegates on Thursday night, January 19th, 1888, for the purpose of a public lecture to be delivered by Dr. Thomas N. Page.

—Which was agreed to, two-thirds of the members present voting in the affirmative.

Leave of absence was granted Messrs. BASKERVILLE one day and PERKINS two days.

The following bills were presented and referred under Rule 37:

By Mr. RYAN: A bill to amend and re-enact an act approved May 6, 1887, entitled an act to incorporate the Mineral railroad company. Referred to committee on roads and internal navigation.

By Mr. LOVING: A bill to incorporate the North Amherst railroad company. Referred to committee on roads and internal navigation.

By Mr. HARRIS: A bill to prevent the frequent change of text-books in the public schools of the counties. Referred to the committee on schools and colleges.

By Mr. YOUNG: A bill to amend and re-enact section 3982, chapter 189 of the Code of 1887, in relation to the election laws. Referred to the committee on privileges and elections.

By Mr. HOBSON: A bill to provide for a new registration in the city of Manchester and the counties of Chesterfield and Powhatan. Referred to the committee on privileges and elections.

By Mr. HARRIS: A bill to amend and re-enact section 1 of chapter 153, approved March 8, 1875, as to the election, qualifications, term of county officers, and to limit the term of office of county treasurers. Referred to the committee on counties, cities and towns.

By Mr. EWELL: A petition from citizens of Accomac and Northampton counties praying the passage of a law to prohibit fish trapping in the waters of said counties from the 1st of January to the 1st of September. Referred to the committee on Chesapeake and its tributaries.

By Mr. MAYO: A bill to amend and re-enact section 48 of an act to amend and re-enact section 13 and 48 of an act entitled for the preservation of oysters and to obtain a revenue for the privilege of taking them from the waters of the commonwealth, approved November 26, 1884, as amended by chapter 26, section 48 of the Acts of 1887, approved March 30, 1887. Referred to the committee on Chesapeake and its tributaries.

By Mr. ECHOLS: A bill to aid the Confederate soldiers' and sailors' monument association of Richmond, Va. Referred to the committee on finance.

By Mr. CARDWELL: A bill to require the payment of the interest accrued and accruing upon the bond of the commonwealth for ten thousand dollars held by the trustees of the General Assembly of the Presbyterian church in the United States. Referred to the committee on finance.

By Mr. DICKEY: A bill for the relief of Thomas Owens from the payment of a fine imposed by the county court of Grayson. Referred to the committee on finance.

By Mr. ECHOLS: A bill for the relief of Wingfield Liggett, John Q. Wingfield and S. M. Yost. Referred to the committee on finance.

By Mr. BUFORD: A resolution that the finance committee be instructed to inquire into the expediency of increasing the appropriation to the medical college of Virginia, as requested by the board of visitors at their last meeting. Referred to the committee on finance.

By Mr. MAYO: A bill for the relief of B. S. English, deputy treasurer of Westmoreland county. Referred to the committee on finance.

By Mr. WILKINS: A bill for the relief of E. S. Costin, late treasurer of Northampton county. Referred to the committee on finance.

By Mr. COUNTS: A bill for the relief of Joseph Viars, of the county of Dickenson, from a fine imposed by the county court of said county. Referred to the committee on finance.

By Mr. ECHOLS: A bill for the relief of Bethel Presbyterian church, Shemariah Presbyterian church, and St. John's German Reformed church in Augusta county. Referred to the committee on finance.

By Mr. MOORE of *Clarke:* A bill to amend and re-enact section 930, chapter 42, Code of Virginia of 1887, regarding court-houses, clerks' offices, jails and jailors. Referred to the committee for courts of justice.

By Mr. OVERBY: A bill to authorize the boards of supervisors of Lunenburg and Nottoway counties to increase the salary of the judges of said counties. Referred to the committee for courts of justice.

By Mr. CRAWFORD: A bill to empower the judge of the county court of Augusta county to appoint policemen for the various magisterial districts in Augusta county. Referred to the committee for courts of justice.

By Mr. CARDWELL: A petition from the W. C. T. union in relation to the age of consent. Referred to the committee for courts of justice.

By Mr. POLLARD: Resolved, That the committee on asylums and prisons be instructed to inquire into the expediency of providing by law that the board of visitors of the several lunatic asylums, and the superintendent of the penitentiary, shall publish, as soon as they have accepted any bid for supplies for said institution, the names of the successful bidders and the prices to be paid for such supplies. Referred to the committee on asylums and prisons.

By Mr. CRISMOND: A bill to authorize the erection of a Washington memorial temple in Fredericksburg. Referred to the committee on propositions and grievances.

By Mr. MOORE of *Pulaski:* A bill to incorporate Tazewell female seminary. Referred to the committee on propositions and grievances.

By Mr. CARDWELL: A bill to incorporate the Southern guarantee and trust company. Referred to the committee on propositions and grievances.

By Mr. STARKE: A bill to amend and re-enact section 3 of the charter of the Young men's christian association of Norfolk and Portsmouth. Referred to the committee on propositions and grievances.

By Mr. CARDWELL: A bill to amend and re-enact an act of the General Assembly of Virginia, approved March 13th, 1884, to prevent frightening of animals, injuring and killing persons and spreading of fire by careless moving of engines with steam on turnpikes and county roads of the State. Referred to the committee on propositions and grievances.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 4. House bill entitled an act to incorporate the Confederate soldiers' and sailors' monumental association, came up.

The amendment of the Senate to the title as follows, "Strike out monumental and insert monument," was agreed to.

Mr. TYLER of *Richmond city* moved to reconsider the vote by which the amendment of the Senate was agreed to; which motion was rejected.

No. 19. Senate bill entitled an act to prevent county, district, school and corporation officers and school trustees from purchasing county and corporation warrants and school claims, was read a third time and passed.

The following House engrossed bills were read a third time and passed:

No. 38. House engrossed bill to prescribe a rule of evidence in certain cases.

No. 39. House engrossed bill appropriating money to pay for publishing the 82d, 83d and 84th volumes of Virginia Reports—yeas 71; nays 4.

The vote required by the Constitution was read as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Buford, Catlett, Coleman, Corbett, Counts, Crawford, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Evans, Ewell, Figgatt, Flood, Gordon, Graves, A. W. Harris, J. S. Harris, Hay, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Johnson, Kincheloe, Leggett, Loving, Martin, McCandlish, McKee, Montague, A. Moore, Jr., J. E. Moore, William L. Moore, Morton, Mustain, Overby, Phillips, Pilcher, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins, Williams and Wright—71.

NAYS—Messrs. Craft, Dickey, Parr and Spencer—4.

No. 42. House engrossed bill to prevent fraud in the sale of lard.

Motions severally made to reconsider the votes by which Senate bill No. 19 and House engrossed bills Nos. 39 and 42 were passed, were rejected.

No. 33. House engrossed bill to amend and re-enact an act approved February 24, 1886, providing for working and keeping in order the public roads of Nansemond county, was read a third time and passed.

On motion of Mr. MCCANDLISH, the title was amended so as to read as follows: "To amend and re-enact section 2 of an act providing for working and keeping in order the public roads of Nansemond county, approved February 24, 1886."

Mr. MCCANDLISH moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 25. House bill to amend section 2 of an act entitled an act to require proper proof of disability in order to obtain aid as a soldier or marine, approved May 23d, 1884, was read a second time.

Mr. RYAN offered an amendment in the nature of a substitute.

On motion of Mr. DABNEY, the bill was recommitted to the committee on propositions and grievances.

No. 43. House bill to prevent the pollution of drinking water in this State, was read a second time.

The amendment proposed by the committee on propositions and grievances as follows: Insert after "water" in fifth line the words, "Or domestic purposes," was agreed to.

On motion of Mr. SAUNDERS, the bill was amended by striking out the words, "Or any living animal with design to produce the death of such living animal therein," and insert in lieu thereof the following: "Or shall drown and leave, or cause to be drowned and left, any animal therein."

The bill as amended was ordered to be engrossed to be read a third time.

No. 59. House bill, was, on motion of Mr. CARDWELL, passed by.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 34. House bill to amend and re-enact an act to amend and re-enact section 1 of an act entitled an act to confirm a law passed by the Legislature of North Carolina, entitled an act to incorporate the Elizabeth city and Norfolk railroad company (now the Norfolk Southern railroad company), ratified the 20th day of January, 1870, and an act supplemental thereto, ratified the 24th day of January, 1872, and approved on the 23d day of February, 1875, approved on the 3d day of March, 1882.

No. 35. House bill to amend and re-enact sections 2 and 5 of an act entitled an act to incorporate the Chowan and Southern railroad company, approved May 5, 1887, and to authorize the stockholders of said company to change its name to the Norfolk and Carolina railroad company.

No. 52. House bill to incorporate the Virginia safety deposit and trust company of Richmond.

No. 53. House bill to amend and re-enact section 1 of chapter 50, extra session 1884, and to amend and re-enact section 1 of chapter 377, approved March, 1886, in relation to records in the clerk's office of Rockingham county.

Mr. HAY entered a motion to reconsider the vote by which the House ordered No. 53 House bill to be engrossed.

No. 54. House bill to enable the board of supervisors of Roanoke county to borrow money for the purpose of enlarging the clerk's office of said county, and for other purposes.

No. 55. House bill to authorize the board of supervisors of Clarke county to loan out certain money to the credit of the sinking fund provided for the redemption of the bonds of the county.

No. 56. House bill to make Nansemond river, in the county of Nansemond, between certain points, a lawful fence.

No. 57. House bill authorizing the counties of Cumberland and Powhatan to change the form of bonds subscribed to the Farmville and Powhatan railroad company.

No. 60. House bill to empower the auditor to issue a duplicate of warrant No. 8,786.

No. 62. House bill to provide additional compensation for N. W. Bowe for services rendered to the commonwealth of Virginia.

No. 63. House bill to relieve Mrs. Maria Simpson Throgmorton, of Henrico county, of taxes improperly paid by her.

No. 64. House bill to provide for the payment of the expenses of the circuit court for Frederick county.

On motion of Mr. WILKINS, the House adjourned until to-morrow at 12 o'clock M.

TUESDAY, JANUARY 10, 1888.

On motion of Mr. MARTIN, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 9, 1888.

The Senate have passed House bills entitled an act requiring educational institutions receiving State appropriations to make annual reports to the board of education, No. 18; and an act to amend an act respecting wild game in Loudoun county, approved January 21, 1886, No. 24.

They have agreed to House joint resolution to instruct the superintendent of public buildings to examine into the condition of the Washington monument.

And have agreed to Senate joint resolution providing for the appointment of a special joint committee to consider the laws of the commonwealth in regard to the public free schools, &c.

In which they respectfully request the concurrence of the House of Delegates.

Senate concurrent resolution as follows:

Resolved (the House of Delegates concurring), That a committee of three on the part of the Senate and five on the part of the House be appointed to take into consideration the laws of the commonwealth in regard to public free schools, and ascertain what imperfections, if any, exist in said laws, with the remedy therefor, and what amendments or changes, if any, should be made in the manner of levying, collecting and disbursing the revenue for free school purposes; said committee to report by bill or otherwise.

—Came up.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. DUPUY moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. DUPUY inform the Senate that the House had agreed to the resolution.

The SPEAKER appointed Messrs. ANDERSON of *Rockbridge*, POLLARD, ARNOLD, WILLIAMS and MARTIN the committee on the part of the House.

No. 48. Senate bill for the relief of John Collins from the payment of a fine and costs imposed by the county court of Grayson county, was reported from the committee on finance.

The following House bills, reported from the committee on finance, were read a first time:

No. 78. House bill for the relief of William Morton, of Charlotte county.

No. 79. House bill to provide for the deposit of State funds in certain cases.

No. 80. House bill for the relief of Joseph Viars, of the county of Dickenson, from a fine imposed by the county court of said county (with a recommendation that it do not pass).

The following House bills, reported from the committee on roads and internal navigation, were read a first time:

No. 81. House bill to incorporate the Richmond city and Seven Pines railway company.

No. 82. House bill to amend an act entitled an act to reduce the number of trustees in the Upper Appomattox company, passed on the 23d day of December, 1797.

No. 83. House bill to facilitate the transfer of shares in the Upper Appomattox company and to provide for changing the same from real to personal estate, and to authorize the said company to mortgage its property and franchises.

No. 84. House bill to amend section 9 of an act entitled an act to amend and reduce into one act the several acts for operating and extending the navigation of Appomattox river, approved 21st December, 1795.

No. 85. House bill to incorporate the Danville and East Tennessee railroad company.

No. 86. House bill to incorporate the Danville and North Carolina railroad company.

No. 87. House bill to authorize the county of Madison to subscribe to the stock of the Madison Court-house and Orange railroad on certain conditions.

No. 88. House bill to amend and re-enact an act entitled an act to incorporate the Madison Court-house and Orange railroad company, approved February 18, 1886.

No. 89. House bill granting a loan of arms of the State to the principal of Marion high school, in the county of Smythe, reported from the committee on militia and police, was read a first time.

No. 55. Senate bill entitled an act to amend and re-enact section 1 of an act approved May 18th, 1887, entitled an act to authorize a subscription by the county of Chesterfield to the stock of the Petersburg and Chesapeake railroad company, was reported from the committee on counties, cities and towns.

The following House bills, reported from the committee on Chesapeake and its tributaries, were read a first time:

No. 90. House bill to amend and re-enact section 1 of an act entitled an act to prohibit the use of pound nets and purse nets in the waters of James and Chickahominy rivers, below tidewater, approved May 16, 1887.

No. 91. House bill authorizing Christian Hanson to erect a wharf in front of his shore for shipping oysters.

Mr. FIGGATT offered the following resolution:

Resolved, That the superintendent of public printing furnish to each member of the House of Delegates (who have not been so furnished), on application, with four pasteboard backs for filing of journals, bills and documents.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. HAY offered the following concurrent resolution:

Resolved (the Senate concurring), That when the General Assembly adjourn on Wednesday, February 1st, 1888, it be to adjourn *sine die*.

The House referred the resolution to the committee on propositions and grievances.

The committee on enrolled bills report that the Governor has approved the following bills:

To incorporate the Dunlop and McCance milling and manufacturing company.

To amend 2d section of an act to incorporate the Warrenton and Marshall road company.

To incorporate the bank of Christiansburg.

To amend and re-enact sections 17 and 21 of an act approved April 2d, 1882, entitled an act to provide for the working of roads in the counties of Culpeper and Buckingham.

The following were presented and referred under Rule 37:

By Mr. CRISMOND: A bill to incorporate the Spotsylvania mining and manufacturing company. Referred to the committee on propositions and grievances.

By Mr. HERRING: A bill repealing an act protecting rabbits or hares in the county of Chesterfield. Referred to the committee on propositions and grievances.

By Mr. WEBB: A bill for the relief of Samuel A. Slusser, of Rockingham county. Referred to the committee on finance.

By Mr TYLER of *Prince William*: A bill for the relief of Mt. Zion church of Loudoun county. Referred to the committee on finance.

By Mr. HAY: A bill for the relief of A. N. Finks, of Madison county. Referred to the committee on finance.

By Mr. SANGER: A bill to relieve Rev. Isaac Long, of Rockingham county, of taxes improperly paid by him. Referred to the committee on finance.

By Mr. HAY: A bill to allow W. J. Cave, treasurer of Madison county, further time to collect tax tickets for which he has accounted to the State. Referred to the committee on finance.

By Mr. STARKE: A bill to authorize and empower the Tunis lumber company, of Baltimore city, to hold land in the State of Virginia. Referred to the committee for courts of justice.

By Mr. PEDIGO: A bill to repeal chapter 83 of Code of 1887, in regard to inspection of tobacco. Referred to the committee for courts of justice.

By Mr. FIGGATT: A bill to regulate the sale of cigarettes. Referred to the committee for courts of justice.

By Mr. FIGGATT: A bill to incorporate the Richmond and Eltham railroad and navigation company. Referred to the committee on roads and internal navigation.

By Mr. HERBERT: A bill to incorporate the Hampton and Old Point Comfort street railway company. Referred to the committee on roads and internal navigation.

By Mr. ROANE: A bill for the erection of a wharf on York river, in Gloucester county. Referred to the committee on Chesapeake and its tributaries.

By Mr. WRIGHT: A bill in regard to changes in magisterial and school districts of the State. Referred to the committee on counties, cities and towns.

The morning hour having expired, the House proceeded to the business on the calendar.

The following Senate bills were read a third time and passed:

No. 55. Senate bill entitled an act to amend and re-enact section 1 of an act approved May 18, 1887, entitled an act to authorize a subscription by the county of Chesterfield to the stock of the Petersburg and Chesterfield railroad company.

No. 48. Senate bill entitled an act for the relief of John Collins from the payment of a fine and costs imposed by the county court of Grayson county—yeas 66; nays 13.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, Goodman Brown, Buford, Catlett, Coleman, Counts, Craft, Crawford, Curtis, Daingerfield, Dickey, Dupuy, Edmondson, Edwards, Elam, Evans, Gordon, Graves, A. W. Harris, J. S. Harris, Hay, Herbert, Herring, Hobson, Hunter, Jarratt, Johnson, Kincheloe, Leggett, Martin, McCandlish, McKee, McNeil, Montague, A. Moore, Jr., William L. Moore, Overby, Parr, Pedigo, Phillips, Pilcher, Quesenberry, Riner, Roane, J. Roberts, Robinson, Sanger, Silver, Spencer, Starke, Terrell, Tinsley, Treat, R. H. Tyler, Waddill, Webb, West, Williams, Wright and Young—66.

NAYS—Messrs. Crismond, Dabney, Figgatt, Flood, Huffman, Magruder, Mustain, Pollard, E. L. Roberts, Saunders, Sebrell, Lyon G. Tyler and Watkins—13.

Motions severally made to reconsider the votes by which Senate bills Nos. 48 and 55 were passed, were rejected.

The hour of one o'clock P. M. having arrived, special order,

No. 19. House bill to provide for the establishment of a reformatory for youthful criminals in Virginia, came up.

The bill was read a second time.

Mr. WADDILL moved to amend the bill by inserting D. C. Richardson, of Richmond city; George W. Randall, of Henrico; John Page, of Hanover; and James L. Tredway, of Pittsylvania.

Mr. MARTIN moved to amend the amendment offered by Mr. WADDILL by adding the names of Park L. Poindexter, of Norfolk county, and J. F. Crocker, of Portsmouth city.

The amendment by Mr. MARTIN was rejected.

The amendment offered by Mr. WADDILL was rejected—yeas 32; nays 43.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Ash, Goodman Brown, Carter, Coleman, Corbett, Craft, Curtis, Daingerfield, Elam, A. W. Harris, Herring, Jarratt, Martin, McCandlish, McNeil, Montague, Mustain, Pedigo, Phillips, Porter, Quesenberry, Robinson, Spencer, Tinsley, Treat, Lyon G. Tyler, Waddill, Webb, West, Wright and Young—32.

NAYS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Barbour, Catlett, Crawford, Crismond, Dabney, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, A. Moore, Jr., Morton, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Smith, Starke, Terrell, R. H. Tyler, Watkins, Wilkins and Williams—43.

Mr. CURTIS moved to insert the name of D. C. Richardson, of Richmond city.

Mr. DAINGERFIELD moved to add the name of T. R. B. Wright, of Essex, which was rejected—yeas 33; nays 37.

On motion of Mr. DAINGERFIELD the vote was recorded as follows:

YEAS—Messrs. Ash, Goodman Brown, Buford, Coleman, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, Herring, Jarratt, Johnson, Martin, McCandlish, McKee, McNeil, Montague, Mustain, Parr, Pedigo, Porter, Quesenberry, E. L. Roberts, Robinson, Sanger, Spencer, Tinsley, R. H. Tyler, Webb, West, Wilkins and Young—33.

NAYS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Carter, Crawford, Crismond, Curtis, Dabney, Dupuy, Edmondson, Edwards, Ewell, Figgatt, Flood, J. S. Harris, Hay, Herbert, Hobson, Hunter, Kincheloe, Magruder, A. Moore, Jr., Morton, Overby, Pilcher, Pollard, J. Roberts, Ryan, Saunders, Sebrell, Silver, Starke, Treat, Lyon G. Tyler, Watkins and Williams—37.

Mr. ELAM moved to recommit the bill to the committee on asylums and prisons; which motion was rejected.

The amendment offered by Mr. CURTIS to insert the name of D. C. Richardson, of Richmond city, was agreed to.

Mr. BUFORD moved to amend the bill by striking out all of the 1st section as amended after the word "that" in the first line of the bill, down to and including the word "act" in the sixth line, and inserting in lieu thereof the following: "The Governor of Virginia be, and he is hereby, authorized to appoint a board of commissioners consisting of one person from each Congressional district, any six of whom may act," which was agreed to.

The House refused to order the bill to be engrossed to be read a third time.

Mr. HAY entered a motion to reconsider the vote, by which the House refused to order the bill to be engrossed.

On motion of Mr. DUPUY, the House adjourned until to-morrow at twelve o'clock M.

WEDNESDAY, JANUARY 11, 1888.

On motion of Mr. PILCHER, the reading of the Journal was dispensed with.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 92. House bill to regulate the sale of cigarettes (with a recommendation that it do not pass).

No. 93. House bill to authorize and empower the Tunis lumber company, of Baltimore city, to hold land in the State of Virginia (with a recommendation that it do not pass).

No. 94. House bill to amend and re-enact section 848 of chapter 364 of Code of Virginia 1887, relating to the duties and compensation of district officers.

No. 95. House bill to provide for the bringing of suits in certain cases against unincorporated societies, and providing that a married woman who is a member of any such society may sue or be sued as if she were a *femme sole.*

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 96. House bill for the protection of fish in the waters of the commonwealth above tide-water.

No. 97. House bill to incorporate Tazewell female seminary.

No. 98. House bill to authorize the erection of a Washington masonic memorial temple in Fredericksburg.

No. 23. Senate bill entitled an act to incorporate the trustees of the Baptist State mission board, was reported from the committee on propositions and grievances with amendments.

A message was received from the Senate by Mr. Heaton, who informed the House that the Senate had agreed to a resolution as follows:

Resolved (the Senate and House of Delegates concurring), That Miss Mary Amelia Smith be, and she is hereby, authorized and permitted to place a copy of the seal of the commonwealth in such material as she may choose on the memorial stone to be erected over the grave of her father, the late William Smith, twice governor of Virginia; and the secretary of the commonwealth is hereby directed to furnish her with a copy of the seal of the commonwealth to be used in the execution of said purpose.

—In which they respectfully request the concurrence of the House.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. KINCHELOE moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. KINCHELOE inform the Senate that the House had agreed to the resolution.

Mr. MOORE of *Clarke and Warren* offered the following resolution:

Resolved, That the finance committee be instructed to report, at the earliest practicable day, a bill for the appropriation of the State revenue.

The House refused to refer the resolution to the committee.

The resolution was agreed to.

On motion of Mr. DUPUY, the use of the hall was granted the Farmers' assembly for this night.

Leave of absence was granted Mr. MONTAGUE for two days.

The following report was agreed to:

The committee for courts of justice have, according to order, had under consideration a bill to them referred to provide a lien on colts until three months of age, respectfully ask to be discharged from its

consideration, and that it be referred to the committee on propositions and grievances.

Mr. TREAT offered the following resolution:

Resolved, That the auditor of public accounts be directed to furnish this House with a detailed statement, showing the amount of salary and mileage drawn by the respective circuit judges of this commonwealth for the years 1886 and 1887.

The House referred the resolution to the committee on finance.

The following were presented and referred under Rule 37:

By Mr. WILKINS: Petition of citizens of Accomac and Northampton protesting against the repeal of the fish law. Referred to the committee on Chesapeake and its tributaries.

By Mr. SAUNDERS: A bill for the relief of Wm. P. Thompson. Referred to the committee on finance.

By Mr. CATLETT: A bill for the compensation of W. W. Wood. Referred to the committee on finance.

By Mr. ANDERSON of *Fluvanna:* A bill to authorize Elmira Irving to endorse and collect a warrant payable to A. S. Irving. Referred to the committee on finance.

By Mr. BARBOUR: Petition of Woman's C. T. U. of Virginia, in relation to the age of consent. Referred to the committee for courts of justice.

By Mr. STARKE: A bill to authorize the trustees of Saint John's Protestant Episcopal church at Hampton to borrow money and secure it by deed of trust. Referred to the committee for courts of justice.

By Mr. SILVER: A bill to amend and re-enact section 887, chapter 38 of Code of Virginia of 1887, in relation to vagrants. Referred to the committee for courts of justice.

By Mr. SAUNDERS: A bill to direct the courts of the commonwealth, in all cases in which they render judgments or decrees on instruments waiving the homestead, to incorporate the fact of such waiver in such judgments or decrees. Referred to the committee for courts of justice.

By Mr. PARR: A bill to amend the law in relation to working the public roads of Patrick and Grayson counties. Referred to the committee on counties, cities and towns.

By Mr. CATLETT: A bill to amend section 2876 of Code of 1887, in relation to negotiable notes. Referred to the committee on banks, currency and commerce.

By Mr. STARKE: A bill to incorporate the Fidelity safe deposit and trust company of Norfolk. Referred to the committee on propositions and grievances.

By Mr. COUNTS: A bill to amend an act entitled an act to regulate the practice of medicine and surgery, approved January 3, 1885. Referred to the committee on propositions and grievances.

By Mr. CARTER: A bill to incorporate the Foreign mission board of the Southern Baptist convention. Referred to the committee on propositions and grievances.

By Mr. BUFORD: A bill to incorporate the Midlothian coal company. Referred to the committee on propositions and grievances.

By Mr. COUNTS: A bill to incorporate the Powel's river academy. Referred to the committee on schools and colleges.

By Mr. HARRIS of *Dinwiddie*: A bill to allow the board of supervisors of Dinwiddie county to increase the salary of the superintendent of public schools. Referred to the committee on schools and colleges.

The morning hour having expired, the House proceeded to the business on the calendar.

The motion entered by Mr. HAY to reconsider the vote by which No. 53, House bill to amend and re-enact section 1 of chapter 50, extra session of 1884, and to amend and re-enact section 1 of chapter 377, approved March, 1886, in relation to records in clerk's office of Rockingham county, came up.

Mr. HAY moved to pass by the motion to reconsider, which was rejected.

The motion to reconsider was rejected.

The bill was read a third time and passed.

Mr. WEBB moved to reconsider the vote by which the bill was passed, which motion was rejected.

The motion entered by Mr. HAY to reconsider the vote by which the House refused to order No. 19, House bill to provide for the establishment of a reformatory for youthful criminals in Virginia, was rejected—yeas 25: nays 51.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Speaker, Buford, Carter, Counts, Crismond, Curtis, Evans, Gordon, Hay, Herring, Huffman, Johnson, MaGruder, McCandlish, McKee, A. Moore, Jr., Wm. L. Moore, Morton, Perkins, Phillips, Pollard, E. L. Roberts, Sanger, Terrell and Webb—25.

NAYS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, Baskerville, Goodman Brown, Catlett, Coleman, Craft, Dabney, Dupuy, Edmondson, Edwards, Ewell, Figgatt, Flood, Graves, J. S. Harris, Hobson, Hunter, Jarratt, Jones, Kincheloe, Leggett, Martin, McNeil, Mustain, Parr, Pedigo, Pilcher, Porter, Quesenberry, Riner, J. Roberts, Robinson, Ryan, Saunders, Sebrell, Spencer, Starke, Tinsley, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright and Young—51.

No. 23. Senate bill entitled an act to incorporate the trustees of the Baptist State mission board came up.

The amendments proposed by the committee on propositions and grievances as follows:

1st section, sixth line, after the word "board," "for the purpose of disseminating christianity in the State of Virginia." In 16th line, 1st section, strike out "sum of money" and insert "property, real and personal."

The amendments being presently engrossed, the bill was read a third time and passed.

Mr. POLLARD moved to reconsider the vote by which the bill was passed; which motion was rejected.

The following House engrossed bills were read a third time and passed:

No. 34. House engrossed bill to amend and re-enact an act to amend and re-enact section 1 of an act entitled an act to confirm a law passed by the Legislature of North Carolina, entitled an act to incorporate the Elizabeth City and Norfolk railroad company (now the Norfolk and Southern railroad company), ratified the 20th day of January, 1870, and an act supplemental thereto, ratified the 24th day of January, 1872, and approved on the 23d day of February, 1875, approved on the 3d day of March, 1882.

No. 35. House engrossed bill to amend and re-enact sections 2 and 5 of an act entitled an act to incorporate the Chowan and Southern railroad company, approved May 5, 1887, and to authorize the stockholders of said company to change its name to the Norfolk and Carolina railroad company.

No. 43. House engrossed bill to prevent the pollution of drinking water in this State..

No. 52. House engrossed bill to incorporate the Virginia safety, deposit and trust company of Richmond.

No. 54. House engrossed bill to enable the the board of supervisors of Roanoke county to borrow money for the purpose of enlarging the clerk's office of said county and for other purposes.

No. 55. House engrossed bill to authorize the board of supervisors of Clarke county to loan out certain money to the credit of the sinking fund provided for the redemption of the bonds of the county.

No. 56. House engrossed bill to make Nansemond river, in the county of Nansemond, between certain points, a lawful fence.

No. 57. House engrossed bill authorizing the counties of Cumberland and Powhatan to change the form of bonds subscribed to the Farmville and Powhatan railroad company.

No. 60. House engrossed bill to empower the auditor to issue a duplicate of warrant No. 8,786—yeas 73.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. W. A. Anderson, Arnold, Ash, Barbour, Baskerville, Goodman Brown, Buford, Carter, Catlett, Coleman, Corbett, Craft, Crawford, Crismond, Dabney, Daingerfield, Dickey, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Flood, Gordon, Graves, A. W. Harris, J. S. Harris, Hay, Herring, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Martin, McCandlish, McKee, McNeil, A. Moore, Jr., Wm. L. Moore, Morton, Mustain, Overby, Parr, Perkins, Phillips, Pilcher, Pollard, Porter, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Sebrell, Smith, Spencer, Starke, Terrell, Tinsley, Treat, R. H. Tyler, Webb, West, Wilkins, Williams, Wright and Young—73.

No. 62. House engrossed bill to provide additional compensation for N. W. Bowe for services rendered to the commonwealth of Virginia—yeas 62; nays 2.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Ash, Barbour, Baskerville, Buford, Carter, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Daingerfield, Dickey, Dupuy, Edmondson, Edwards, Elam, Ewell, Flood, Gordon, Graves, A. W. Harris, Hay, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Kincheloe, Martin, Magruder, McCandlish, McKee, A. Moore, Jr., William L. Moore, Morton, Mustain, Overby, Pedigo, Perkins, Phillips, Pilcher, Riner, Roane, J. Roberts, Robinson, Sanger, Saunders, Sebrell, Starke, Watkins, Webb, West, Wilkins, Williams and Wright—62.

NAYS—Messrs. Figgatt and Johnson—2.

No. 63. House engrossed bill to relieve Mrs. Maria Simpson Throgmorton, of Henrico county, of taxes improperly paid by her—yeas 62.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Ash, Baldwin, Baskerville, Goodman Brown, Buford, Carter, Catlett, Coleman, Corbett, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Edwards, Elam, Evans, Flood, Graves, Hay, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Martin, Magruder, McCandlish, McKee, McNeil, A. Moore, Jr., William L. Moore, Mustain, Overby, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Sebrell, Silver, Terrell, Tinsley, Webb, West, Wilkins, Williams and Young—62.

No. 64. House engrossed bill to provide for the payment of expenses of the circuit court for Frederick county.

Motions severally made to reconsider the votes by which House bills Nos. 34, 35, 54, 55, 56, 57, 60, 62, 63 and 64 were passed, were rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 5. House bill to incorporate the Farmers' independent and benevolent society of Southampton county.

No. 7. House bill to allow Geo. R. Dolby and Labon J. Belote to erect a wharf on Nassawodux in Northampton county (amended on motion of Mr. WILKINS by inserting after "wharf" in line three, the words "at the Glebe landing").

No. 31. House bill to incorporate the Abingdon street railway company.

No. 37. House bill to incorporate the Galilean fishermen relief association of the commonwealth of Virginia.

No. 40. House bill to incorporate the Great Southern railway company.

No. 48. House bill to incorporate the "Christian multitude" of Norfolk county.

No. 49. House bill to incorporate the Berkley and Currituck turnpike company.

Amended on motion of Mr. MARTIN by striking out the name of A. J. Dalton.

No. 69. House bill to impose a fine for using insulting language which leads to a breach of the peace.

No. 71. House bill for the protection of game in the county of Pittsylvania.

No. 72. House bill to amend and re-enact section 3 of an act approved February 18, 1886, entitled an act for the better protection of game in Henry county.

No. 73. House bill to amend and re-enact section 1 of chapter 155 of Acts of 1884, extra session, entitled an act to amend and re-enact section 1 of an act entitled an act for making and repairing division fences between coterminous land owners in the counties of Alleghany, Bath, Botetourt, Highland, Rockbridge, Loudoun, Frederick, Nelson, Clarke, Pittsylvania, Carroll, Craig, Rockingham and Scott, approved March 6, 1882, and as amended and re-enacted by an act approved April 14, 1882.

No. 74. House bill to authorize the county school board of Northumberland county to use a portion of the county school fund for the erection of school-houses in Lottsburg school district.

No. 75. House bill to authorize the county school board of Richmond county to appropriate one hundred dollars of the county school fund to the erection of a school-house in Stonewall district of said county.

No. 47. House bill to amend and re-enact an act entitled an act to incorporate the Rappahannock valley agricultural and mechanical society of Fredericksburg was, on motion of Mr. CRISMOND, recommitted to the committee on propositions and grievances.

No. 59. House bill to amend and re-enact section 8 of chapter 61 of the Code of Virginia be amended and re-enacted by an act approved March 9, 1880, March 30, 1887, and May 21, 1887, in relation to turnpikes was read a second time.

Mr. CARDWELL offered an amendment in the nature of a substitute.

On motion of Mr. CARDWELL the bill was passed by and the substitute ordered to be printed.

No. 65. House bill was, on motion of Mr. MCCANDLISH, passed by.

No. 66. House bill to fine and imprison persons for keeping disorderly houses, was on motion of Mr. HAY, dismissed.

No. 67. House bill to amend and re-enact section 10 of chapter 11 of Acts 1877–'78, page 318, in relation to the sale of ardent spirits was, on motion of Mr. PORTER, recommitted to the committee for courts of justice.

No. 68. House bill to authorize the trustees of New Hope church, in Wythe county, to sell real estate and invest in other real estate.

Mr. MARTIN moved to recommit the bill, which motion was rejected.

On motion of Mr. HAY the bill was dismissed.

No. 76. House bill providing compensation to trustees of public free schools was read a second time.

Mr. HAY moved to commit the bill to the special committee appointed to consider the laws in relation to public free schools; which motion was rejected.

On motion of Mr. DUPUY, the bill was dismissed—yeas 52; nays 27.

On motion of Mr. ALLENSWORTH, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Craft, Crawford, Dabney, Daingerfield, Dickey, Dupuy, Edmondson, Figgatt, Graves, A. W. Harris, J. S. Harris, Hay, Hobson, Huffman, Hunter, Jones, Martin, Magruder, McNeil, A. Moore, Jr., Wm. L. Moore, Morton, Mustain, Parr, Pedigo, Pollard, Porter, Quesenberry, Roane, E. L. Roberts, Saunders, Smith, Spencer, Starke, Terrell, Watkins, Webb, West, Wilkins, Willams, Wright and Young—52.

NAYS—Messrs. Allensworth, Ash, Baskerville, Corbett, Counts, Crismond, Elam, Evans, Flood, Gordon, Herring, Johnson, Kincheloe, Leggett, McCandlish, Overby, Perkins, Phillips, Pilcher, J. Roberts, Robinson, Ryan, Sebrell, Silver, Tinsley, R. H. Tyler and Waddill—27.

Mr. HAY moved to reconsider the vote by which the bill was dismissed; which motion was rejected.

On motion of Mr. FIGGATT, the House adjourned until to-morrow at twelve o'clock M.

THURSDAY, JANUARY 12, 1888.

On motion of Mr. WEBB, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 10, 1888.

The Senate have passed Senate bills entitled an act to permit taxpayers who have tendered coupons in payment of taxes to make payment in money to county and city treasurers, &c., No. 133; and an act to authorize the mayor and common council of the town of Chatham, in the county of Pittsylvania, to borrow money, No. 136; in which bills they respectfully request the concurrence of the House of Delegates.

No. 133. Senate bill, was read twice and referred to the committee on finance.

No. 136. Senate bill, was read twice and referred to the committee on counties, cities and towns.

No. 26. Senate bill entitled an act providing a special game law for the counties of Buckingham, Augusta, Culpeper, Rappahannock, Madison and Orange, was reported from the committee on counties, cities and towns with an amendment.

Senate joint resolution instructing our senators and requesting our representatives in the Congress of the United States to secure an appropriation for the equipment of a national quarantine at or near Cape Charles, was reported from the committee on federal relations and resolutions.

No. 47. House bill to amend and re-enact an act entitled an act to incorporate the Rappahannock valley agricultural and mechanical society of Fredericksburg, heretofore recommitted to the committee on propositions and grievances, was reported back favorably.

No. 30. House bill to provide just compensation for personal service or labor when exacted for public uses, heretofore reported from the committee on counties, cities and towns with a recommendation that it do not pass, and recommitted, was reported back with a similar recommendation.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 99. House bill to authorize the council of the city of Portsmouth to issue bonds for the purpose of retiring and refunding certain outstanding bonds of said city.

No. 100. House bill to authorize the board of supervisors of Rockbridge county to establish a free ferry over James river at or near Glenwood depot.

No. 101. House bill for working and repairing the public roads in Nottoway county.

No. 102. House bill to allow the Eastern steamboat company to acquire, hold and dispense of a certain tract of land in Northampton county, Va.

The following House bills, reported from the committee on finance, were read a first time:

No. 103. House bill to allow W. J. Cave, treasurer of Madison county, further time to collect tax tickets for which he has accounted to the State.

No. 104. House bill for the relief of A. N. Finks, of Madison county.

No. 105. House bill to exempt the manufacture and sale of wines and brandies made from fruit within the county of Albemarle from the operation of all local option or prohibition laws.

No. 47. Senate bill entitled an act for the relief of Walter S. Phillips, reported from the committee on finance.

The following report was agreed to:

The committee on manufacture and mechanic arts have under consideration a bill to incorporate the Virginia mechanics' institute and for other purposes, respectfully ask to be discharged from its further consideration and that it be referred to the committee on finance.

Leave of absence was granted Mr. EDWARDS for three days.

A message was received from the Senate by Mr. Harrison, who informed the House that the Senate had passed House bill entitled

an act to provide for the payment of expenses of the circuit court for Frederick county, No. 64.

A message was received from the Senate by Mr. Houston, who informed the House that the Senate had passed House bill entitled an act to enable the board of supervisors of Roanoke county to borrow money for the purpose of enlarging the clerk's office of said county and for other purposes, No. 54.

CORRECTIONS.

JOURNAL, DECEMBER 9TH, 1887.

A bill to incorporate the Virginia mechanics' institute and for other purposes should have been referred to the committee on manufactures and mechanic arts.

JOURNAL, DECEMBER 13TH, 1887.

A bill to allow the Eastern Shore steamboat company of Maryland to acquire, hold and dispose of a certain tract of land in Northampton county, Virginia, should have been referred to the committee on counties, cities and towns.

The following bills, presented and referred under Rule 37, were read a first time:

By Mr. LOVING: A bill to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16th, 1887. Referred to the committee for courts of justice.

By Mr. JONES: A bill to amend and re-enact section 8, chapter 160, Code of Virginia 1873, prescribing who may not practice law in certain counties. Referred to the committe for courts of justice.

By Mr. WEBB: A bill to amend and re-enact an act approved March 28th, 1879, to provide for the appointment of a special constable to execute attachments and warrants of distress. Referred to the committee for courts of justice.

By Mr. CURTIS: A bill to provide a police court for the city of Richmond and for the election of a police justice for said city, to define the jurisdiction of said police court and to amend and re-enact section 106 of the charter of the city of Richmond. Referred to the committee for courts of justice.

By Mr. POLLARD: A bill to authorize attachments to issue in favor of the commonwealth in certain cases. Referred to the committee for courts of justice.

By Mr. STARKE: A bill to amend and re-enact sections 1 and 2 of an act entitled an act to require assignees or trustees to give bonds in certain cases, approved March 6th, 1886. Referred to the committee for courts of justice.

By Mr. JARRATT: A bill for the relief of E. A. Potts from a fine imposed by the county court of Greensville. Referred to the committee on finance.

By Mr. SPENCER: A bill to empower the board of supervisors of Buckingham county to levy a license-tax on liquor dealers for free school purposes. Referred to the committee on finance.

By Mr. ANDERSON of *Rockbridge:* A bill to give aid to the soldiers, sailors and marines of Virginia, maimed or disabled in the war between the States and to the widows of Virginia soldiers, sailors and marines who lost their lives in said war, in military service. Referred to the committee on finance.

By Mr. TYLER of *Prince William:* A bill to authorize the board of supervisors of any county to compensate school trustees. Referred to the committee on schools and colleges.

By Mr. ELAM: A bill to require county school superintendents to have their offices at their respective county seats. Referred to the committee on schools and colleges.

By Mr. ANDERSON: Joint resolution for appointment of a committee to visit the Virginia military institute. Referred to the committee on schools and colleges.

By Mr. DAINGERFIELD: A bill to amend and re-enact section of an act entitled an act to appoint B. P. Green and John A. Parker agents to prosecute to settlement certain claims of the State of Virginia against the United States. Referred to the committee on federal relations and resolutions.

By Mr. CRAFT: A bill to prohibit fishing in the waters of the North Fork of Holstein river by seines and traps, or by poisoning, or by killing with dynamite. Referred to the committee on Chesapeake and its tributaries.

By Mr. STARKE: A bill to empower and authorize the local board of improvement of Brambleton ward, city of Norfolk, by and with the consent of the select and common councils of the city of Norfolk, to borrow money. Referred to the committee on counties, cities and towns.

By Mr. DABNEY: A bill to authorize the issue of lands and stock by the Chesapeake and Ohio railway company. Referred to the committee on roads and internal navigation.

By Mr. MCCANDLISH: A bill to incorporate the West-End water company. Referred to the committee on propositions and grievances.

By Mr. DUPUY: A bill providing a special game law for Prince Edward county. Referred to the committee on propositions and grievances.

By Mr. CARTER: A bill to regulate and provide for the furnishing of supplies and the hire of convicts confined in the penal institutions of the State by contract, and other public institutions of the State. Referred to the committee on asylums and prisons.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 26. Senate bill was, on motion of Mr. ECHOLS, passed by.

No. 47. Senate bill entitled an act for the relief of Walter S. Phillips, was read a third time and passed—yeas 64.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Barbour, Baskerville, Goodman Brown, Buford, Carter, Catlett, Coleman, Corbett, Craft, Crawford, Daingerfield, Echols, Elam, Figgatt, Flood, Gordon, Graves, A. W. Harris, Hay, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Loving, McCandlish, McKee, McNeil, William L. Moore, Mustain, Overby, Parr, Perkins, Pilcher, Porter, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Sebrell, Silver, Simpson, Spencer, Starke, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Watkins, Webb, West, Williams and Young—64.

Mr. MCCANDLISH moved to reconsider the vote by which the bill was passed; which motion was rejected.

Senate concurrent resolution as follows:

Whereas our cities, as well in the interior as on the seaboard, are annually exposed to the introduction of contageous diseases by reason of the withdrawal of the Federal quarantine service in the winter season; and whereas the District of Columbia and the State of Maryland are also measurably interested; therefore, be it

Resolved (the House of Delegates concurring), That our senators be instructed and our representatives in Congress from the State of Virginia be requested to use all lawful means to secure an appropriation for the adequate equipment of the national quarantine at or near Cape Charles, and the adoption of such regulations by the supervising surgeon-general as will insure its maintenance by the Marine hospital bureau throughout the year.

—Was agreed to.

Mr. STARKE moved to reconsider the vote by which the Senate concurrent resolution was agreed to; which motion was rejected.

The following House engrossed bills were read a third time and passed:

No. 5. House engrossed bill to incorporate the Farmers' independent and benevolent society of Southampton county.

No. 7. House engrossed bill to allow George R. Dolby and Labon J. Belote to erect a wharf on Nassawodux creek, in Northampton county.

No. 31. House engrossed bill to incorporate the Abingdon street railway company.

No. 37. House engrossed bill to incorporate the Galilean fishermen relief association of the commonwealth of Virginia.

No. 40. House engrossed bill to incorporate the Great Southern railway company.

No. 48. House engrossed bill to incorporate the "Christian multitude" of Norfolk county.

No. 49. House engrossed bill to incorporate the Berkley and Currituck turnpike company.

No. 72. House engrossed bill to amend and re-enact section 3 of an act approved February 18, 1886, entitled an act for the better protection of game in Henry county.

No. 73. House engrossed bill to amend and re-enact section 1 of chapter 155 of Acts 1884, extra session, entitled an act to amend and re-enact section 1 of an act entitled an act for making and repairing division fences between coterminous land owners in the counties of Alleghany, Bath, Botetourt, Highland, Rockbridge, Loudoun, Frederick, Nelson, Clarke, Pittsylvania, Carroll, Craig, Rockingham and Scott, approved March 6, 1882, and as amended and re-enacted by an act approved April 14, 1882.

No. 74. House engrossed bill to authorize the county school board of Northumberland county to use a portion of the county school fund for the erection of school-houses in Lottsburg school district.

No. 75. House engrossed bill to authorize the county school board of Richmond county to appropriate one hundred dollars of the county school fund to the erection of a school-house in Stonewall school district of said county.

Motions severally made to reconsider the votes by which House engrossed bills Nos. 5, 31, 37, 40 and 48 were passed, were rejected.

No. 69. House engrossed bill to impose a fine for using insulting language which leads to a breach of the peace, came up.

Mr. JOHNSON moved to reconsider the vote by which the bill was ordered to be engrossed; which motion was agreed to.

Mr. JOHNSON offered an amendment in the nature of a substitute.

On motion of Mr. HAY, the bill was recommitted to the committee for courts of justice.

No. 71. House engrossed bill for the protection of game in the county of Pittsylvania, came up.

Mr. MOORE of *Clarke and Warren* moved to reconsider the vote by which the bill was ordered to be engrossed, which motion was agreed to.

On motion of Mr. MOORE of *Clarke and Warren*, the bill was amended by striking out the words "capture them in nets or to."

The bill as amended was ordered to be engrossed to be read a third time.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 46. House bill to incorporate the Loudoun creamery association.

No. 50. House bill to incorporate the Berkley street railway company.

No. 51. House bill to incorporate the Norfolk and Cape Henry railroad company.

Amended, on motion of Mr. STARKE, as follows, by adding, as an independent section: "This act shall be in force from its passage."

No. 59. House bill to amend and re-enact section 8 of chapter 61 of the Code of Virginia, as amended and re-enacted by an act approved March 9, 1880, March 30, 1887, and May 21, 1887, in relation to turnpikes, was read a second time.

The question being on agreeing to the substitute offered by Mr. CARDWELL,

On motion of Mr. MOORE of *Clarke and Warren* the substitute was amended by striking out in the 33d and 34th lines of section 8, as proposed to be amended, the words, "The Berryville and Charlestown turnpike road in the county of Clarke," and inserting, "Any turnpike in the counties of Clarke or Frederick."

On motion of Mr. ROBERTS of *Washington*, the substitute was amended by inserting in line 3 of section 8, as proposed to be amended, after the word "country" the words, "If in session or to the judge thereof in vacation."

Mr. WADDILL moved to recommit the bill; which motion was rejected.

Mr. WADDILL moved to pass by the bill; which motion was rejected.

The substitute as amended was agreed to.

Mr. CARDWELL moved to reconsider the vote by which the substitute as amended was agreed to; which motion was rejected.

The bill as amended was ordered to be engrossed to be read a third time.

Mr. CARDWELL moved to reconsider the vote by which the bill was ordered to be engrossed; which motion was rejected.

On motion of MR. MAGRUDER, the House adjourned until to-morrow at twelve o'clock M.

FRIDAY, JANUARY 13, 1888.

On motion of Mr. HERRING, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 12, 1888.

The Senate have agreed to the amendment proposed by the House of Delegates to Senate bill entitled an act to incorporate the trustees of the Baptist State mission board, No. 23.

They have passed Senate bill entitled an act to authorize the Northampton county court to pay to George T. Turner and others, trustees of Trinity church, the damages assessed them on the petition of the New York, Philadelphia and Norfolk railroad company to acquire the real estate of said church for the use of said company,

No. 49; in which they respectfully request the concurrence of the House of Delegates.

No. 49. Senate bill was read twice and referred to the committee for courts of justice.

No. 106. House bill to allow the board of supervisors of Dinwiddie county to increase the salary of the superintendent of public schools, reported from the committee on schools and colleges, was read a first time.

No. 136. Senate bill entitled an act to authorize the mayor and common council of the town of Chatham, in the county of Pittsylvania, to borrow money, was reported from the committee on counties, cities and towns.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 107. House bill to empower and authorize the local board of improvement of Brambleton ward, city of Norfolk, by and with the consent of the select and common council of the city of Norfolk, to borrow money.

No. 108. House bill to amend and re-enact section 2042 of the Code of 1887, in relation to trespass by cattle, &c.

No. 3. House joint resolution directing the attorney-general to bring suit against F. S. Blair, late attorney-general, to recover amounts illegally drawn by him from the treasury, heretofore reported from the committee for courts of justice and amended and recommitted, was reported back.

The following, reported from the committee for courts of justice, were read a first time:

No. 109. House bill to amend the law in relation to compensation of clerks of circuit courts (with a recommendation that it do not pass).

No. 110. House bill to repeal chapter 83 of Code of 1887, in regard to inspection of tobacco (with a recommendation that it do not pass).

No. 111. House bill to direct the courts of the commonwealth in all cases in which they render judgments or decrees on instruments waiving the homestead to incorporate the fact of such waiver in said judgment or decree.

No. 112. House bill to authorize attachments to issue in favor of the commonwealth in certain cases.

No. 113. House bill to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

No. 114. House bill to authorize the board of supervisors of Clarke county to appropriate a sum not exceeding one hundred dollars from the county levy for the purchase of fuel for the county jail.

Mr. DABNEY, under a suspension of the rules, presented No. 115, House bill to amend and re-enact the 5th section of the charter of

the Farmville and Charlottesville railroad company, as amended and re-enacted by an act of the General Assembly of Virginia, approved on the 13th day of January, 1888, which was read a first time.

Mr. MOORE of *Giles and Pulaski*, under a suspension of the rules, presented No. 116, House bill to authorize the Radford land improvement company to erect a dam across New river, which was read a first time.

Leave of absence was granted Mr. MCCLINTIC for two days.

Mr. ELAM, under a suspension of the rules, offered the following resolution:

Whereas, the elevator in the capitol is of little or no benefit to anybody, while it is a hideous deformity and a great obstruction, which has caused a general and undesirable transformation of all the vestibules on the west side of the edifice, greatly to be deplored from every point of view, practical or æsthetic; be it therefore

1. Resolved by the House of Delegates, That the superintendent of public buildings is hereby instructed to report what will be the cost of the removal of said elevator and the restoration of the vestibules and stairs as they formerly were; and also where, inside or outside the edifice, if anywhere, the said elevator can be placed (and at what cost), without damage to the beauty, strength and the original design of said edifice.

The resolution was rejected.

The SPEAKER laid before the House a communication from the superintendent of public buildings, as follows:

RICHMOND, January 13, 1888.

To HON. R. H. CARDWELL,

Speaker House of Delegates:

Sir,—In response to a resolution of your honorable body, directing an examination of the condition of the Washington monument, I respectfully beg leave to submit the following:

Upon careful personal inspection, accompanied by Messrs. Netherwood and Smith, both experts in stone work, I find the monument in fair condition and in no danger; but some repairs should be done in the near future, such as pointing up the stone work, which will cost about $225. If a thorough cleaning of the monument is desired, it will cost about $350 additional, which I do not think needful.

Very respectfully,

J. A. WINGFIELD,
Register Land Office, &c.

The communication was referred to the committee on public property.

The following were presented and referred under Rule 37:

By Mr. FIGGATT: A bill to amend and re-enact section 62, chapter 78, Code of 1873, to provide a uniform system of text-books for public free schools and to furnish such books at cost. Referred to the committee on schools and colleges.

By Mr. JOHNSON: Petitions from citizens of Isle of Wight county praying an increase of their county judge's salary. Referred to the committee for courts of justice.

By Mr. MAGRUDER: A bill to authorize clerks of circuit courts to take acknowledgements to deeds and other writings and certify the same. Referred to the committee for courts of justice.

By Mr. HUNTER: A bill to amend section 37, chapter 49, page 477, Code of 1873, relating to places at which personal property destrained or levied on shall be sold. Referred to the committee for courts of justice.

By Mr. HAY: A bill to allow husband and wife to testify in behalf of each other in criminal cases. Referred to the committee for courts of justice.

By Mr. HAY: A bill to amend and re-enact sections 3345 and 3846 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887. Referred to the committee for courts of justice.

By Mr. LOVING: A bill for the better protection of quail and partridges in the commonwealth. Referred to the committee on propositions and grievances.

By Mr. BUFORD: A bill to incorporate the Virginia State agricultural and mechanical society. Referred to the committee on propositions and grievances.

By Mr. CURTIS: A bill to amend the act to regulate the practice of medicine and surgery, approved January 31, 1884. Referred to the committee on propositions and grievances.

By Mr. SILVER: A bill to require railroad companies to heat with steam cars for the conveyance of passengers. Referred to the committee on roads and internal navigation.

By Mr. LEGGETT: Petition of citizens of Norfolk and Princess Anne counties against allowing a toll bridge to be erected over Broad creek, in those counties, at the points indicated in a bill now pending in the Senate for the purpose. Referred to the committee on roads and internal navigation.

By Mr. MOORE of *Clarke:* A bill to confirm the result of the vote taken in Tazewell county on 26th May, 1887, for a subscription to the capital stock of the Virginia Western railroad company. Referred to the committee on roads and internal navigation.

By Mr. CARDWELL: A bill to refund to Henry Tate the sum of nine 33-100 dollars of delinquent taxes erroneously paid by him to the commonwealth. Referred to the committee on finance.

By Mr. FIGGATT: A bill to allow K. B. Stoner, late treasurer of Botetourt county, further time to make settlement and to return de-

linquents and to collect tax tickets. Referred to the committee on finance.

By Mr. D. W. ANDERSON: A bill to refund certain taxes to R. M. Kirtley erroneously assessed. Referred to the committee on finance.

By Mr. COUNTS: A bill for the relief of Wm. F. Grizzle, late treasurer of Dickenson county. Referred to the committee on finance.

By Mr. PHILLIPS: A bill for the relief of H. R. Garland, late treasurer of Richmond county. Referred to the committee on finance.

By Mr. POLLARD: Joint resolution requiring printing of general road law for distribution. Referred to the committee on printing.

By Mr. DUPUY: Communication from the commissioner of agriculture. Referred to the committee on agriculture and mining.

By Mr. DUPUY: A bill to provide for a board of agriculture of Virginia and making appropriation therefor. Referred to the committee on agriculture and mining.

The committee on enrolled bills report that the governor has approved the following bills:

An act to prevent county, district, school and corporation officers and school trustees from purchasing county and corporation warrants and school claims.

An act requiring educational institutions receiving State appropriations to make annual report to the board of education.

An act to amend and re-enact the 5th and 7th sections of the charter of the Farmville and Charlottesville railroad company, as amended and re-enacted by the act of Assembly, approved the 18th day of May, 1887.

An act to amend an act respecting wild game in Loudoun county, approved January 21st, 1886.

An act to incorporate the Confederate soldiers' and sailors' monument association.

An act to amend and re-enact section 1 of an act, approved May 18th, 1887, entitled an act to authorize a subscription by the county of Chesterfield to the stock of the Petersburg and Chesterfield railroad company.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 26. Senate bill was, on motion of Mr. MARTIN, passed by.

No. 136. Senate bill entitled an act to authorize the mayor and common council of the town of Chatham, in the county of Pittsylvania, to borrow money, was read a third time and passed.

The following House engrossed bills were read a third time and passed:

No. 46. House engrossed bill to incorporate the Loudoun creamery association.

No. 50. House engrossed bill to incorporate the Berkley street railway company.

No. 51. House engrossed bill to incorporate the Norfolk and Cape Henry railroad and hotel company.

No. 59. House engrossed bill to amend and re-enact section 8 of chapter 61 of the Code of Virginia, as amended and re-enacted by an act approved March 9th, 1880, March 30th, 1887, and May 21st, 1887, in relation to turnpikes.

On motion of Mr. CARDWELL, the title was amended by striking out the whole of the same and inserting the following:

To amend and re-enact section 8 of chapter 61 of the Code of Virginia, as amended by an act approved March 9th, 1880; as amended by an act approved March 30th, 1887; as amended by an act approved May 21st, 1887; and to amend and re-enact section 12 of said chapter 61, in relation to turnpike companies.

No. 71. House engrossed bill for the protection of game in the county of Pittsylvania.

Motions severally made to reconsider the votes by which House engrossed bills Nos. 46, 50, 51, 59 and 71 were passed, were rejected.

Mr. STARKE moved that No. 107, House bill to empower and authorize the local board of improvement of Brambleton ward, city of Norfolk, by and with the consent of the select and common councils of the city of Norfolk, to borrow money, be read a second time this day; which motion was agreed to, two-thirds in the House so determining.

The bill was read a second time and ordered to be engrossed to be read a third time.

Mr. DABNEY moved that No. 115, House bill to amend and re-enact the 5th section of the charter of the Farmville and Charlottesville railroad company, as amended and re-enacted by an act of the General Assembly of Virginia, approved on the 13th day of January, 1888, be read a second time this day; which was agreed to—two-thirds in the House so determining.

The bill was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed, Mr. DABNEY moved that the bill be read a third time this day; which was agreed to—two-thirds in the House so determining.

The bill was read a third time and passed.

Mr. DABNEY moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. DABNEY carry the bill to the Senate and request their concurrence.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 3. House joint resolution directing the attorney-general to bring suit against F. S. Blair, late attorney-general, to recover amounts illegally drawn by him from the treasury.

No. 70. House bill to incorporate the Virginia mining and manufacturing company.

linquents and to collect tax tickets. Referred to the committee on finance.

By Mr. D. W. ANDERSON: A bill to refund certain taxes to R. M. Kirtley erroneously assessed. Referred to the committee on finance.

By Mr. COUNTS: A bill for the relief of Wm. F. Grizzle, late treasurer of Dickenson county. Referred to the committee on finance.

By Mr. PHILLIPS: A bill for the relief of H. R. Garland, late treasurer of Richmond county. Referred to the committee on finance.

By Mr. POLLARD: Joint resolution requiring printing of general road law for distribution. Referred to the committee on printing.

By Mr. DUPUY: Communication from the commissioner of agriculture. Referred to the committee on agriculture and mining.

By Mr. DUPUY: A bill to provide for a board of agriculture of Virginia and making appropriation therefor. Referred to the committee on agriculture and mining.

The committee on enrolled bills report that the governor has approved the following bills:

An act to prevent county, district, school and corporation officers and school trustees from purchasing county and corporation warrants and school claims.

An act requiring educational institutions receiving State appropriations to make annual report to the board of education.

An act to amend and re-enact the 5th and 7th sections of the charter of the Farmville and Charlottesville railroad company, as amended and re-enacted by the act of Assembly, approved the 18th day of May, 1887.

An act to amend an act respecting wild game in Loudoun county, approved January 21st, 1886.

An act to incorporate the Confederate soldiers' and sailors' monument association.

An act to amend and re-enact section 1 of an act, approved May 18th, 1887, entitled an act to authorize a subscription by the county of Chesterfield to the stock of the Petersburg and Chesterfield railroad company.

The morning hour having expired, the House proceeded to the business on the calendar.

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Motions severally made to reconsider the votes by which House engrossed bills Nos. 46, 50, 51, 59 and 71 were passed, were rejected.

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The bill was read a second time and ordered to be engrossed to be read a third time.

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The bill was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed, Mr. DABNEY moved that the bill be read a third time this day; which was agreed to—two-thirds in the House so determining.

The bill was read a third time and passed.

Mr. DABNEY moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. DABNEY carry the bill to the Senate and request their concurrence.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 3. House joint resolution directing the attorney-general to bring suit against F. S. Blair, late attorney-general, to recover amounts illegally drawn by him from the treasury.

No. 70. House bill to incorporate the Virginia mining and manufacturing company.

No. 77. House joint resolution instructing our senators and requesting our representatives in Congress to urge and vote for an appropriation for the purpose of establishing suitable works in Virginia for the manufacture of sugar from sorghum, and also a school where the process can be taught.

No. 65. House bill to provide for the payment of justices of the peace, witnesses and physicians in certain cases, was, on motion of Mr. HAY, recommitted to the committee for courts of justice.

No. 30. House bill to provide just compensation for personal service or labor when exacted for public uses, was read a second time.

Mr. HAY moved the pending question; which was ordered—yeas 58; nays 22.

On motion of Mr. ELAM, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Arnold, Baldwin, Barbour, Buford, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Dabney, Dupuy, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, McNeil, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Pilcher, Pollard, Quesenberry, J. Roberts, Ryan, Saunders, Sebrell, Simpson, Smith, Starke, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright and Young—58.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, Carter, Daingerfield, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, McCandlish, Perkins, Phillips, Porter, Robinson, Sanger, Spencer, Tinsley, Waddill and Webb—22.

The question being, On ordering the bill to be engrossed to be read a third time, was put and decided in the negative—yeas 25: nays 53.

On motion of Mr. ELAM, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, Carter, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Mayo, McCandlish, Perkins, Porter, Robinson, Sanger, Spencer, Tinsley, Waddill and Webb—25.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Barbour, Buford, Catlett, Coleman, Crismond, Dabney, Dupuy, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Pilcher, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Simpson, Smith, Starke, R. H. Tyler, Watkins, Wilkins, Williams and Wright—53.

No. 78. House bill was, on motion of Mr. CATLETT, passed by.

On motion of Mr. DICKEY, the House adjourned until to-morrow at twelve o'clock M.

SATURDAY, JANUARY 14, 1888.

On motion of Mr. WEBB, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 13, 1888.

The Senate have passed Senate bill entitled an act to amend and re-enact section 2 of an act approved May 23, 1887, entitled an act to require proper proof of disability in order to obtain aid as a disabled soldier or marine, No. 173; in which they respectfully request the concurrence of the House of Delegates.

No. 173. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. TYLER of *Richmond city*, requiring its reference to a committee.

No. 4. Senate bill entitled an act to incorporate the Falls Church and Potomac railroad company, was reported from the committee on roads and internal navigation with amendments.

The following Senate bills were reported from the committee on finance:

No. 24. Senate bill entitled an act to provide compensation to members of the special joint committee acting under resolution of February 8th, 1886, and the accountant of said committee.

No. 133. Senate bill entitled an act to permit tax-payers who have tendered coupons in payment of taxes to make payment in money to county and city treasurers, &c., with an amendment.

The following House bills were reported from the committee on roads and internal navigation, to be read a first time:

No. 117. House bill to amend and re-enact an act approved January 16th, 1886, entitled an act to allow Wm. H. Ellis to erect a wharf at Franklin city, Accomac county.

No. 118. House bill to amend and re-enact sections 6 and 10, chapter 233, Acts of Assembly 1883–'4, entitled an act incorporating the Farmville and Powhatan railroad company.

No. 119. House bill to incorporate the North Amherst railroad company.

No. 120. House bill to authorize the issue of bonds and stocks by the Chesapeake and Ohio railway company.

The following House bills, reported from the committee on finance, were read a first time:

No. 121. House bill for the relief of Bethel Presbyterian church, Shemariah Presbyterian church and St. John's German Reformed church in Augusta county.

No. 122. House bill for the relief of E. A. Potts from a fine imposed by the county court of Greensville (with a recommendation that it do not pass).

Mr. TREAT, under a suspension of the rule, presented

No. 123. House bill for the protection of game in the county of King William, which was read a first time.

Mr. POLLARD offered the following resolution:

Resolved, That the superintendent of public printing cause to be delivered to the patron of every bill or joint resolution ten additional printed copies.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

The following were presented and referred under Rule 37:

By Mr. DUPUY: A bill amending and re-enacting section 1101, chapter 46 of Code of 1887, authorizing internal improvement companies to take wood, stone, gravel, earth or water from convenient lands. Referred to the committee on roads and internal navigation.

By Mr. MOORE of *Clarke and Warren:* Transcript of record of Farmers' assembly against railroads in this State becoming foreign corporations technically. Referred to the committee on roads and internal navigation.

By Mr. CARDWELL: A bill to amend and re-enact an act entitled an act to provide for the removal of obstructions from the Chickahominy river and to punish the obstruction of the same. Referred to the committee on propositions and grievances.

By Mr. TREAT: A bill to amend and re-enact the charter of the Cohoke association. Referred to the committee on propositions and grievances.

By Mr. MOORE of *Clarke and Warren:* Transcript of record of Farmers' assembly against the repeal of the laws in relation to the inspection of fish and flour. Referred to the committee on propositions and grievances.

By Mr. ALLENSWORTH: A bill to amend and re-enact section 3 of chapter 184 of the Code of 1873, in relation to the lien of a *fieri facias.* Referred to the committee for courts of justice.

By Mr. DABNEY: A bill to authorize the board of visitors of the University to commute gifts, devises and bequests to said University taking effect in future and to settle questions arising in relation thereto by arbitration or suit. Referred to the committee for courts of justice.

By Mr. LEGGETT: Petition of citizens of Princess Anne county in relation to the age of consent. Referred to the committee for courts of justice.

By Mr. POLLARD: Petition of citizens of King William against repeal of special law in regard to taking fish with pound nets or other fixed devices in York, Mattaponi and Pamunky rivers. Referred to the committee on Chesapeake and its tributaries.

By Mr. WILKINS: Petitions of citizens of Accomac and Northampton counties asking for the repeal of the fish law. Referred to the committee on Chesapeake and its tributaries.

By Mr. ECHOLS: A bill to provide for a new registration in the city of Staunton. Referred to the committee on privileges and elections.

By Mr. MORTON: A bill to require the payment of the interest accrued and hereafter accruing upon the bond of the commonwealth of Virginia for one thousand dollars, held by the trustees and elders of the Presbyterian church at Orange Court-house, Virginia. Referred to the committee on finance.

By Mr. RYAN: Petition of citizens of Loudoun county asking that the time for adding the 5 per cent. penalty on taxes be extended to the 1st of February, 1888. Referred to the committee on finance.

By Mr. LEGGETT: A bill authorizing the Elizabeth park land company to construct a toll-bridge across Broad creek, between the counties of Norfolk and Princess Anne. Referred to the committee on counties, cities and towns.

By Mr. HUFFMAN: A bill to constitute the town of Salem and adjoining territory a seperate school district. Referred to the committee on schools and colleges.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 26. Senate bill entitled an act providing a special game law for the counties of Buckingham, Augusta, Culpeper, Rappahannock, Madison and Orange, was, on motion of Mr. HAY, laid on the table.

No. 4. Senate bill entitled an act to incorporate the Falls Church and Potomac railway company, came up.

The amendment proposed by the committee on roads and internal navigation as follows:

Add at end of 7th section the following: "Provided that this act shall not be construed to authorize the construction of a road to Mount Vernon or upon the land owned by the Ladies' Mount Vernon association.

—Was agreed to.

The bill was ordered to its third reading.

No. 24. Senate bill entitled an act to provide compensation to members of the special joint committee acting under resolution of February 8th, 1886, and the accountant of said committee, came up.

Mr. ECHOLS moved to amend the bill so as only to provide compensation for extra labor by James D. Craig, accountant; which was rejected.

Mr. POLLARD moved to amend the bill so as to provide for the payment of like sums to Messrs. R. T. Barton, J. B. Moon and M. W. Hazlewood for services of a similar character; which was rejected.

The bill was read a third time and rejected—yeas 41; nays 37.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, W. A. Anderson, Ash, Barbour, Baskerville, Bristow, Buford, Corbett, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield,

Elam, Figgatt, Gordon, J. S. Harris, Herring, Hunter, Jarratt, Jones, Mayo, McCandlish, McClintic, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Perkins, Phillips, Robinson, Sanger, Spencer, Starke, Terrell, Tinsley, Treat, Lyon G. Tyler, Webb and Young—41.

NAYS—Messrs. Speaker, D. W. Anderson, Arnold, Baldwin, Catlett, Coleman, Counts, Echols, Edmondson, Ewell, Flood, Graves, Hay, Herbert, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, McNeil, Mustain, Pilcher, Pollard, Porter, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Smith, R. H. Tyler, West, Wilkins and Wright—37.

Mr. HAY moved to reconsider the vote by which the bill was rejected; which motion was agreed to.

Mr. ANDERSON of *Rockbridge* moved to pass by the bill; which motion was agreed to—yeas 44; nays 37.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Allensworth, W. A. Anderson, Ash, Baskerville, Bristow, Buford, Corbett, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Echols, Elam, Figgatt, Gordon, J. S. Harris, Herring, Hunter, Jarratt, Jones, Mayo, McCandlish, McClintic, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Parr, Perkins, Phillips, Riner, E. L. Roberts, Robinson, Sanger, Spencer, Starke, Terrell, Tinsley, Treat, Lyon G. Tyler, Webb and Young—44.

NAYS—Messrs. Speaker, D. W. Anderson, Arnold, Baldwin, Barbour, Catlett, Coleman, Counts, Edmondson, Ewell, Flood, Graves, Hay, Herbert, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, Morton, Mustain, Overby, Pilcher, Pollard, Porter, J. Roberts, Ryan, Saunders, Sebrell, Silver, Smith, R. H. Tyler, West, Wilkins and Wright—37.

Mr. ECHOLS moved to reconsider the vote by which the bill was passed by.

Mr. MAYO moved that the House do now adjourn; which motion was rejected—yeas 36; nays 38.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Allensworth, Ash, Baskerville, Bristow, Buford, Craft, Crismond, Curtis, Dabney, Daingerfield, Dickey, Figgatt, Gordon, J. S. Harris, Herbert, Herring, Jarratt, Jones, Mayo, McCandlish, McNeil, J. E. Moore, Wm. L. Moore, Perkins, Phillips, Porter, Robinson, Sanger, Spencer, Tinsley, Treat, Lyon G. Tyler, Webb, West, Wilkins and Young—36.

NAYS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Catlett, Coleman, Corbett, Crawford, Echols, Edmondson, Flood, Graves, Hay, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, Mustain, Overby, Pilcher, Pollard, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Smith, Starke, Terrell, R. H. Tyler and Wright—38.

The motion by Mr. ECHOLS to reconsider the vote by which the bill was passed by, was rejected—yeas 37; nays 39.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Baldwin, Barbour, Catlett, Coleman, Counts, Echols, Edmondson, Flood, Graves, J. S. Harris, Hay, Herbert, Huffman, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, Morton, Mustain, Overby, Pilcher, Pollard, J. Roberts, Ryan, Saunders, Sebrell, Silver, Smith, R. H. Tyler, West, Wilkins and Wright—37.

NAYS—Messrs. Allensworth, W. A. Anderson, Ash, Baskerville, Bristow, Buford, Corbett, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Figgatt, Gordon, Herring, Hunter, Jarratt, Jones, Mayo, McCandlish, McClintic, A. Moore, Jr., J. E. Moore, William L. Moore, Parr, Perkins, Phillips, Porter, E. L. Roberts, Robinson, Sanger, Starke, Tinsley, Treat, Lyon G. Tyler, Webb and Young—39.

On motion of Mr. BUFORD, the House adjourned until Monday next at twelve o'clock M.

MONDAY, JANUARY 16, 1888.

On motion of Mr. TREAT, the reading of the Journal was dispensed with.

No. 69. House engrossed bill to impose a fine for using insulting language which leads to a breach of the peace, the engrossment of which was heretofore reconsidered and a substitute offered by Mr. JOHNSON and recommitted to the committee for courts of justice, was reported back with a recommendation that it do not pass.

The following Senate bills were reported from the committee for courts of justice:

No. 49. Senate bill to authorize the Northampton county court to pay George T. Turner and others, trustees of Trinity church, the damages assessed them on the petition of the New York, Philadelphia and Norfolk railroad company to acquire the real estate of said church for the use of said company.

No. 43. Senate bill to amend section 1 of chapter 14 of an act to fix the times for holding the terms of the circuit court of Bedford county, approved 14th January, 1882 (with a recommendation that it do not pass).

The following House bills, reported from the committee for courts of justice, were read a first time:

124. House bill prohibiting corporations from making special contracts exempting from liability for injuries sustained by their employees (with a recommendation that it do not pass).

No. 125. House bill to authorize the board of visitors of the University to commute gifts, devises and bequests to said University taking effect in future and to settle questions arising in relation thereto by arbitration or suits.

No. 126. House bill to exempt undertakers from jury service.

No. 127. House bill to authorize clerks of circuit courts to take acknowledgments to deeds and other writings and to certify the same.

No. 128. House bill to authorize the trustees of Saint John's Protestant Episcopal church at Hampton to borrow money and secure it by deed of trust.

No. 129. House bill to establish a bureau of labor and the office of labor commissioner for the commonwealth of Virginia, and to

define the duties of such commissioner, reported from the committee on manufactures and mechanic arts, was read a first time.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 130. House bill to amend and re-enact section 16 of an act to provide for the working and repairing public roads and bridges, approved March 8th, 1884, and to repeal sections 17, 18 and 19 of said act (with a recommendation that it do not pass).

No. 131. House bill to amend and re-enact an act approved March 25th, 1875, for the establishment of a true meridian line in each county of the commonwealth east of the Alleghany mountains (with a recommendation that it do not pass).

No. 132. House bill to amend the law in relation to working the public roads of Patrick and Grayson counties.

No. 133. House bill to amend and re-enact sections 1, 2, 3 and 18 of chapter 264 of Acts of Assembly 1878–'9, as amended by chapter 61 of Acts of Assembly 1885–'6, entitled an act to provide for working and keeping the public roads in order in Prince Edward county.

No. 134. House bill providing for the sub division of tracts of land into lots or parcels and for the record plats thereof.

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 135. House bill to amend and re-enact an act of the General Assembly of Virginia, approved March 13th, 1884, entitled an act to prevent frightening of animals, injuring and killing persons, and spreading of fire by careless moving of engines with steam on turnpikes and county roads of the State.

No. 136. House bill to amend and re-enact an act entitled an act to provide for the removal of obstructions from the Chickahominy river, and to punish the obstruction of the same.

No. 137. House bill to amend and re-enact section 4 of an act entitled an act to regulate the practice of medicine and surgery, approved January 31st, 1884.

No. 138. House bill to incorporate the Spotsylvania mining and manufacturing company.

The following report was agreed to:

The committee on propositions and grievances have had under consideration a bill to repeal sections 10 and 11 of chapter 86, Code of 1873, and the 41st section of chapter 86, Code of 1873, as amended and re-enacted by an act entitled an act to amend and re-enact section 41 of chapter 86, Code of 1873, in relation to inspections, approved April 2d, 1874, respectfully ask to be discharged from its further consideration and referred to the committee for courts of justice.

Mr. BARBOUR, under a suspension of the rules, presented

No. 139, House bill authorizing the board of supervisors of Culpeper county to adjudicate, adjust and allow certain claims and demands of Geo. W. Cooper and the executors of P. C. Smith,

deceased, against said county for repairing and keeping in order certain sections of the public roads of said county, which was read a first time.

Leave of absence was granted Messrs. ROANE, BASKERVILLE and BROWN of *Prince George and Surry* for two days each.

P. W. SCOTT, delegate-elect from the county of Goochland, was sworn in by the clerk.

Mr. BUFORD moved that a bill as follows:

To give aid to soldiers, sailors and marines of Virginia maimed or disabled in the war between the States and to the widows of Virginia soldiers, sailors and marines who lost their lives in said war in the military service.

—Now before the committee on finance, be printed.

Which motion was agreed to.

Mr. CARTER, under a suspension of the rule, offered the following resolution:

Whereas the charter of the South Atlantic and Ohio railroad company has been forfeited as provided in chapter 366, Acts of Assembly 1883–'4, and approved March 10th, 1884, and whereas said defunct company has in its charge convicts, under an alleged contract, which is a burden to the State, and whereas the said company is applying to the Legislature for a revival of said charter and that its acts, since the expiration of its charter, may be legalized. Now, therefore, be it

Resolved, That the superintendent of the penitentiary be required to furnish the following information:

1st. What have been the disbursements by the State to the South Atlantic and Ohio railroad company and its predecessor companies in cash on account of convicts on their works.

2d. All other costs to the State for said convicts.

3d. What sums in cash have been received by the State from said company.

4th. What amount has been received by the State in securities at par and also the present market value of the same.

5th. A copy of the contract under which said convicts are held.

6th. What amount is now due the State from said company.

7th. Are there any applications for convicts now on file on terms that are more favorable to the State?

The resolution was agreed to.

The following were presented and referred under Rule 37:

By Mr. WILLIAMS: Petition of members of the bar of Nelson county asking for a change of the time for holding the circuit court of said county. Referred to the committee for courts of justice.

By Mr. COUNTS: A bill to amend and re-enact section 4 of an act approved April 2d, 1874, amending and re-enacting sections 3, 4, 6 and 12 of chapter 154 of Code 1873, in relation to the jurisdiction of county courts. Referred to the committee for courts of justice.

By Mr. STARKE: Petition of select and common councils of the city of Norfolk for the enactment of a law requesting Norfolk county to pay to the treasurer of Norfolk city, for the benefit of Brambleton ward in said city, one-half of the taxes collected by Norfolk county from said ward for the year 1887. Referred to the committee for courts of justice.

By Mr. TREAT: A bill to secure payment into the treasury of all moneys received for the use of State seals by the several officers of the commonwealth, and to provide a manner for affixing said seals and the penalties thereof. Referred to the committee for courts of justice.

By Mr. MCCLINTIC: A bill to authorize the board of supervisors of Alleghany county to borrow money to build bridges in said county. Referred to the committee on counties, cities and towns.

By Mr. MUSTAIN: A bill to authorize the issue of county warrants in certain cases. Referred to the committee on counties, cities and towns.

By Mr. ALLENSWORTH: A bill providing a premium for the scalps of foxes, hawks, owls, minks and weasels in the county of Caroline. Referred to the committee on counties, cities and towns.

By Mr. ECHOLS: A petition of citizens of Staunton, Va., asking that the General Assembly will not interfere with the present law in regard to the compulsory inspection of flour, fish, &c., brought into this State from other States. Referred to the committee on propositions and grievances.

By Mr. ROBINSON: A bill for the relief of George I. Davis, James Baily and Maria L. Phillips, lately teachers in the public schools of Elizabeth City county. Referred to the committee on schools and colleges.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 24. Senate bill was, on motion of Mr. BUFORD, passed by.

No. 4. Senate bill entitled an act to incorporate the Falls Church and Potomac railway company, was read a third time and passed.

Mr. RYAN moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 133. Senate bill entitled an act to permit tax-payers, who have tendered coupons in payment of taxes, to make payment in money to county and city treasurers, &c., came up.

The amendment proposed by the committee on finance as follows: Strike out the words "also with six per cent. interest on the aggregate from the fifteenth day of the same month until paid," was agreed to.

The amendment being presently engrossed, the bill was read a third time and passed.

Mr. BUFORD moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. BUFORD carry the bill to the Senate, and request their concurrence in the amendment of the House.

No. 43. Senate bill entitled an act to amend section 1 of chapter 14 of an act to fix the the times for holding the terms of the circuit court of Bedford county, approved January 14th, 1882, was, on motion of Mr. WEST, laid on the table.

No. 173. Senate bill entitled an act to amend and re-enact section 2 of an act approved May 23d, 1887, entitled an act to require proper proof of disability in order to obtain aid as a disabled soldier or marine, was, on motion of Mr. ECHOLS, committed to the committee on finance.

No. 49. Senate bill entitled an act to authorize the Northampton county court to pay to George T. Turner and others, trustees of Trinity church, the damages assessed them on the petition of the New York, Philadelphia and Norfolk railroad company to acquire the real estate of said church for the use of said company, was read a third time and passed.

Mr. WILKINS moved to reconsider the vote by which the bill was passed; which motion was rejected.

The following House engrossed joint resolutions and bills were read a third time and *passed:*

No. 3. Joint resolution directing the attorney-general to bring suit against *F. S. Blair,* late attorney-general, to recover amounts illegally drawn by him from the treasury.

No. 70. House engrossed bill to incorporate the Virginia mining and manufacturing company.

No. 77. A joint resolution instructing our senators and requesting our representatives in Congress to urge and vote for an appropriation for the purpose of establishing suitable works in Virginia for the manufacture of sugar from sorghum, and also for a school where the process can be taught.

No. 107. House engrossed bill to empower and authorize the local board of improvement of Brambleton ward, city of Norfolk, by and with the consent of the select and common councils of the city of Norfolk, to borrow money.

Motions severally made to reconsider the votes by which House engrossed joint resolutions and bills Nos. 3, 70, 77 and 107 *were* passed, were rejected.

No. 90. House bill to amend and re-enact *section 1 of an act* entitled an act to prohibit the use of pound nets and purse nets in the waters of James and Chickahominy rivers below tide-water, approved May 16th, 1887, was, on motion of Mr. TINSLEY, recommitted to the committee on Chesapeake and its tributaries.

No. 92. House bill to regulate the sale of cigarettes, was, on motion of Mr. FIGGATT, committed to the committee on propositions and grievances.

No. 93. House bill to authorize and empower the Tunis lumber company, of Baltimore city, to hold land in the State of Virginia,

was, on motion of Mr. STARKE, recommitted to the committee for courts of justice.

No. 96. House bill for the protection of fish in the waters of the commonwealth above tide-water, was read a second time.

Mr. MCKEE moved to amend the bill by adding at end of section 7 the following: "Or to any streams in Rockbridge county not stocked with any one or more of the species of fish mentioned in this bill," pending which, on motion of Mr. MOORE of *Clarke and Warren*, the bill was passed by.

No. 99. House bill was, on motion of Mr. POLLARD, passed by.

No. 101. House bill was, on motion of Mr. ASH, passed by.

No. 104. House bill for the relief of A. N. Finks, of Madison county, was read a second time.

The question being, On ordering the bill to be engrossed to be read a third time, was put and decided in the negative.

No. 112. House bill to authorize attachments to issue in favor of the commonwealth in certain cases, was, on motion of Mr. POLLARD, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

No. 116. House bill to authorize the Radford land improvement company to erect a dam across New river, was, on motion of Mr. LOVING, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

No. 47. House bill to amend and re-enact an act entitled an act to incorporate the Rappahannock valley agricultural and mechanical society, of Fredericksburg, was read a second time.

On motion of Mr. FIGGATT the bill was amended by striking out the words, "and future taxation and the property now held by said society shall be exempt from taxes heretofore accrued or hereafter accruing," and inserting in lieu thereof the following: "taxation since January 1st, 1887, and the property now held by said society shall be exempt from taxes hereafter accruing."

The bill was ordered to be engrossed to be read a third time.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 16. House bill to incorporate the Lexington street railway company.

No. 41. House bill to incorporate the Newport News cemetery company.

No. 58. House bill to authorize the board of supervisors of Halifax county to issue its warrant on the treasurer of said county in favor of Jos. C. Walker for the sum of $35, with interest from February 9, 1871.

No. 78. House bill for the relief of William Morton, of Charlotte county.

No. 79. House bill to provide for the deposit of State funds in certain cases.

No. 80. House bill for the relief of Joseph Viars, of the county of Dickenson, from a fine imposed by the county court of said county.

No. 81. House bill to incorporate the Richmond city and Seven Pines railway company.

No. 82. House bill to amend section 1 of an act entitled an act to reduce the number of trustees in the Upper Appomattox company, passed December 23, 1797.

No. 83. House bill to facilitate the transfer of shares in the Upper Appomattox company and to provide for changing the same from real to personal estate, and to authorize the said company to mortgage its property and franchises.

No. 84. House bill to amend section 2 of an act entitled an act to amend and reduce into one act the several acts for opening and extending the navigation of Appomattox river, approved 21st December, 1795.

No. 85. House bill to incorporate the Danville and East Tennessee railroad company.

No. 86. House bill to incorporate the Danville and North Carolina railroad company.

No. 87. House bill to authorize the county of Madison to subscribe to the stock of the Madison Court-house and Orange railroad on certain conditions.

No. 88. House bill to amend and re-enact an act entitled an act to incorporate the Madison Court-house and Orange railroad company, approved February 18, 1886.

No. 89. House bill granting a loan of arms of the State to the principal of Marion high school, in the county of Smythe.

No. 91. House bill to authorize Christian Hanson to erect a wharf in front of his shore for shipping oysters.

No. 94. House bill to amend and re-enact section 848 of chapter 369, Code of Virginia of 1887, relating to the duties and compensation of district officers.

No. 95. House bill to provide for the bringing of suits in certain cases against unincorporated societies, and providing that a married woman, who is a member of any such society, may sue or be sued as if she were a *femme sole*.

No. 98. House bill to authorize the erection of a Washington masonic memorial temple in Fredericksburg.

No. 100. House bill to authorize the board of supervisors of Rockbridge county to establish a free ferry over James river at or near Glenwood depot.

No. 102. House bill to allow the Eastern Shore steamboat company of Maryland, to acquire, hold and dispose of a certain tract of land in Northampton county, Va.

No. 103. House bill to allow W. J. Cave, treasurer of Madison county, further time to collect tax-tickets for which he has accounted to the State.

On motion of Mr. KINCHELOE, the House adjourned until to-morrow at twelve o'clock M.

TUESDAY, JANUARY 17, 1888.

On motion of Mr. DUPUY, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 16, 1888.

The Senate have agreed to the amendment proposed by the House of Delegates to Senate bill, entitled an act to permit tax-payers who have tendered coupons in payment of taxes to make payment in money to county and city treasurers, &c., No. 133.

They have passed Senate bill, entitled an act to amend and re-enact sections 112, 674, 2533, 3045, 3053, 3090, 3091, 3455, 3492, 4048 and 4049 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16th, 1887, No. 186.

In which they request the concurrence of the House of Delegates.

No. 186. Senate bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. HAY, requiring its reference to a committee.

No. 173. Senate bill entitled an act to amend and re-enact section 2 of an act approved May 23, 1887, entitled an act to require proper proof of disability in order to obtain aid as a disabled soldier or marine, was reported from the committee on finance.

The following House bills, reported from the committee on privileges and elections, were read a first time:

No. 140. House bill to provide for a new registration in the city of Staunton.

No. 141. House bill to provide for a new registration in the city of Manchester and the counties of Chesterfield and Powhatan.

The following House bills, reported from the committee on finance, were read a first time:

No. 142. House bill for the relief of Mt. Zion church, of Loudoun county.

No. 143. House bill for the relief of B. S. English, deputy treasurer of Westmoreland county.

No. 144. House bill to allow H. R. Garland, late treasurer of Richmond county, one year to collect any uncollected tax-tickets for the years 1884–'5, for which he has acounted to the auditor.

No. 145. House bill to allow K. B. Stoner, late treasurer of Botetourt county, further time to make settlement and to return delinquents, and to collect tax-tickets.

No. 146. House bill for the relief of the tax-payers of Carroll county.

No. 147. House bill to require the payment of the interest accrued and hereafter accruing upon the bond of the commonwealth for ten

thousand dollars, held by the trustees of the General Assembly of the Presbyterian church in the United States.

No. 148. House bill to require the payment of the interest accrued, and hereafter accruing, upon the bond of the commonwealth of Virginia for one thousand dollars, held by the trustees and elders of the Presbyterian church at Orange Court-house, Va.

Mr. WADDILL, under a suspension of the rule, presented

No. 149. House bill to incorporate the savings bank of the Grand fountain united order true reformers, which was read a first time.

The following resolution, heretofore referred to the committee on finance, was reported, with a recommendation that the House agree to the same:

Resolved, That the auditor of public accounts be directed to furnish this House with a detailed statement showing the amount of salary and mileage drawn by the respective circuit judges of this commonwealth for the years 1886 and 1887.

The resolution was agreed to.

The following report was presented:

On consideration of a joint resolution, with the accompanying amendment, both of which were referred to the joint library committee, the said committee make the following report:

The committee are of the opinion that the necessities of the State library, by reason of the books, maps and other library matter on hand and the continual increase of the same, require more ample accommodations.

The committee are also of the opinion that the present library accommodations are very insecure by reason of the danger from fire.

They therefore recommend the erection of a separate fire-proof library building, and ask for further instructions from the General Assembly on the subject.

Mr. DABNEY offered the following resolution:

Whereas it appears from the report of the auditor made pursuant to the act of May 23d, 1887, entitled an act to require proof of disability in order to obtain aid as a disabled soldier or marine; that there are only twenty counties from which applications for aid have been approved under said act.

And whereas it further appears from said report and from officially published lists of maimed and wounded soldiers, who have heretofore received State aid, that the number of applicants from some counties, whose claims have been approved, is out of all proportion to the number from other counties, population and other circumstances being considered.

And whereas it is proper that the State aid, contemplated in said act, should be equitably applied in all counties to all persons justly entitled thereto, and equally proper that no person in any county should have such aid unless entitled thereto under said act,

And whereas the facts, above recited, raise a strong presumption that there is either some defect in the act aforesaid or some fault in its administration and execution or both; therefore,

Resolved, That a committee of three members of the House be appointed, whose powers shall continue only during the present session of the General Assembly, and who shall receive no additional compensation for the duties hereby imposed upon them, who shall investigate the claims now on file in the auditor's office, under the act of May 23d, 1887, aforesaid, and who shall inquire into the causes of the disparity in the number of approved claims from the several counties from which claims have been made, and into the reasons why no claims have been made from so large a number of counties. And, if in prosecuting the inquiries aforesaid, said committee shall deem it necessary, they may visit any county or counties from which they have reason to think that improper claims have been allowed, and specially investigate the claims from such county or counties.

And said committee shall report to this House as soon as practicable.

—Which was agreed to.

Two days leave of absence was granted Mr. MONTAGUE, and Mr. CRAFT an indefinite leave.

The following were presented and referred under Rule 37:

By Mr. HUNTER: A bill to amend Acts of Assembly 1885–'6, page 236, in regard to amount of treasurer's bond for city of Lynchburg. Referred to the committee on finance.

By Mr. DABNEY: A bill to exempt the property of the International committee of the young men's christian association, located at the University of Virginia, from taxation. Referred to the committee on finance.

By Mr. CRAWFORD: A bill to incorporate the Edgewood cemetery company of Augusta county. Referred to the committee on propositions and grievances.

By Mr. MUSTAIN: A bill to incorporate the Danville tobacco association. Referred to the committee on propositions and grievances.

By Mr. STARKE: A bill to incorporate the Seaboard water company. Referred to the committee on propositions and grievances.

By Mr. EWELL: A petition from citizens of Accomac and Northumberland counties asking that a law be passed prohibiting the catching of fish by means of pound nets or traps from 1st day of June until 1st day of September. Referred to the committee on Chesapeake and its tributaries.

By Mr. TYLER of *Richmond city:* Resolution to furnish the members with the Keystone file. Referred to the committee on House expenses.

By Mr. WEST: A bill to repeal chapter 258, Acts of Assembly 1883–'4, entitled an act to repeal section 7, chapter 79, Code 1873, and regulate the appointment of school trustees in cities and incorporated towns of five thousand inhabitants and over, in force March

4th, 1884, and to secure uniformity in the appointment of school trustees throughout the commonwealth. Referred to the committee on schools and colleges.

By Mr. BUFORD: A bill to promote the agricultural interests of the State of Virginia. Referred to the committee on agriculture and mining.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 24. Senate bill entitled an act to provide compensation to members of the special joint committee acting under resolution of February 8th, 1886, and the accountant of said committee—the question being, On the passage of the bill, was put and decided in the negative—yeas 50; nays 34.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, W. A. Anderson, Ash, Barbour, Bristow, John A. Browne, Buford, Carter, Corbett, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Elam, Evans, Figgatt, Gordon, A. W. Harris, J. S. Harris, Herring, Hobson, Hunter, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, A. Moore, Jr., J. E. Moore, William L. Moore, Pedigo, Perkins, Phillips, Roane, Robinson, Sanger, Scott, Spencer, Starke, Terrell, Tinsley, Treat, Lyon G. Tyler, Watkins, Webb, Williams and Young—50.

NAYS—Messrs. Speaker, D. W. Anderson, Arnold, Baldwin, Catlett, Coleman, Echols, Edmondson, Ewell, Flood, Graves, Hay, Huffman, Johnson, Leggett, Loving, Magruder, McKee, Mustain, Parr, Pilcher, Pollard, Porter, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Smith, R. H. Tyler, West, Wilkins and Wright—34.

No 173. Senate bill entitled an act to amend and re-enact section 2 of an act approved May 23d, 1887, entitled an act to require proper proof of disability in order to obtain aid as a disabled soldier or marine, was, on motion of Mr. HAY, laid on the table.

No. 186. Senate bill entitled an act to amend and re-enact sections 112, 633, 674, 2533, 3045, 3053, 3093, 3091, 3455, 3492, 4048 and 4049 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16th, 1887.

Was read a third time and passed.

Mr. HAY moved to reconsider the vote by which the bill was passed; which motion was rejected.

The following House engrossed bills were read a third time and passed:

No. 16. House engrossed bill to incorporate the Lexington street railway company.

No. 41. House engrossed bill to incorporate the Newport News cemetery company.

No. 47. House engrossed bill to amend and re-enact an act entitled an act to incorporate the Rappahannock valley agricultural and mechanical society, of Fredericksburg—yeas 64.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Bristow, John A. Browne, Buford, Carter, Coleman, Corbett, Crawford, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Elam, Evans, Ewell, Figgatt, Gordon, Graves, A. W. Harris, J. S. Harris, Hay, Herring, Hobson, Huffman, Hunter, Jones, Johnson, Loving, Magruder, McCandlish, McClintic, A. Moore, Jr., Mustain, Overby, Pedigo, Perkins, Phillips, Pilcher, Pollard, Porter, Quesenberry, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sebrell, Silver, Simpson, Smith, Spencer, Terrell, Treat, Lyon G. Tyler, R. H. Tyler, Webb, West, Wilkins, Williams, Wright and Young—69.

No. 58. House engrossed bill to authorize the board of supervisors of Halifax county to issue its warrant on the treasurer of said county, in favor of Jos. C. Walker, for the sum of $35, with interest from February 9, 1871.

No. 79. House engrossed bill to provide for the deposit of State funds in certain cases.

No. 81. House engrossed bill to incorporate the Richmond city and Seven Pines railway company.

No. 82. House engrossed bill to amend section 1 of an act entitled an act to reduce the number of trustees in the Upper Appomattox company, passed December 23d, 1797.

No. 83. House engrossed bill to facilitate the transfer of shares in the Upper Appomattox company, and to provide for changing the same from real to personal estate, and to authorize the said company to mortgage its property and franchises.

No. 84. House engrossed bill to amend section 2 of an act entitled an act to amend and reduce into one act the several acts for opening and extending the navigation of Appomattox river, approved December 21st, 1795.

No. 85. House engrossed bill to incorporate the Danville and East Tennessee railroad company.

No. 86. House engrossed bill to incorporate the Danville and North Carolina railroad company.

No. 87. House engrossed bill to authorize the county of Madison to subscribe to the stock of the Madison Court-house and Orange railroad on certain conditions.

No. 88. House engrossed bill to amend and re-enact an act entitled an act to incorporate the Madison Court-house and Orange railroad company, approved February 18th, 1886.

No. 89. House engrossed bill to amend and re-enact section 10 of an act in force February 21st, 1882, entitled an act to incorporate the Virginia and Carolina railroad company, as amended by an act approved March 6th, 1886.

No. 91. House engrossed bill to authorize Christian Hanson to erect a wharf in front of his shore for shipping oysters.

No. 95. House engrossed bill to provide for the bringing of suits in certain cases against unincorporated societies, and providing that a married woman, who is a member of any such society, may sue or be sued as if she were a *femme sole*.

No. 98. House engrossed bill to authorize the erection of a Washington masonic memorial temple in Fredericksburg.

No. 100. House engrossed bill to authorize the board of supervisors of Rockbridge county to establish a free ferry over James river, at or near Glenwood depot.

No. 102. House engrossed bill to allow the Eastern Shore steamboat company of Maryland to acquire, hold and dispose of a certain tract of land in Northampton county, Va.

No. 112. House engrossed bill to authorize attachments to issue in favor of the commonwealth in certain cases.

No. 116. House engrossed bill to authorize the Radford land improvement company to erect a dam across New river.

Motions severally made to reconsider the votes by which House engrossed bills Nos. 47, 79, 81, 82, 83, 84, 85, 86, 87, 88, 89, 95, 98 and 112 were passed, were rejected.

No. 78. House engrossed bill, was, on motion of Mr. DUPUY, passed by.

No. 80. House engrossed bill for the relief of Joseph Viars, of the county of Dickenson, from a fine imposed by the county court of said county, was, on motion of Mr. POLLARD, recommitted to the committee on finance.

No. 94. House engrossed bill to amend and re-enact section 848 of chapter 369, Code of Virginia 1887, relating to the duties and compensation of district officers, was, on motion of Mr. MOORE of *Clarke and Warren*, recommitted to the committee for courts of justice.

No. 103. House engrossed bill to allow W. J. Cave, treasurer of Madison county, further time to collect tax-tickets for which he has accounted to the State, was, on motion of Mr. HAY, recommitted to the committee on finance.

No. 69. House bill to impose a fine for using insulting language which leads to a breach of the peace, was, on motion of Mr. ELAM, dismissed.

On motion of Mr. HAY, the House adjourned until to-morrow at twelve o'clock M.

WEDNESDAY, JANUARY 18, 1888.

Mr. ECHOLS in the chair at the request of the SPEAKER.

On motion of Mr. FLOOD, the reading of the Journal was dispensed with.

No. 150. House bill to amend and re-enact section 22 of an act approved March 8th, 1884, entitled an act to provide for the working of public roads and bridges, reported from the committee on counties, cities and towns, was read a first time.

No. 151. House bill to amend and re-enact sections 1165 and 1166 of chapter 48, Code of Virginia 1887, prescribing qualifications of

bank directors, reported from the committee on counties, cities and towns, was read a first time.

No. 152. A bill to provide for a board of agriculture of Virginia, and making appropriation therefor, reported from the committee on agriculture and mining, was read a first time.

The following House bills were reported from the committee on propositions and grievances:

No. 153. House bill to incorporate the Virginia State agricultural and mechanical society.

No. 154. House bill to incorporate the Edgewood cemetery company of Augusta county.

No. 155. House bill to incorporate the Seaboard water company.

No. 156. House bill for the protection and benefit of owner and keeper of stallions and bulls in the State of Virginia, reported with substitute.

No. 157. House bill to incorporate the Midlothian coal company.

No. 25. House bill to amend section 2 of an act entitled an act to require proper proof of disability in order to obtain aid as a disabled soldier or marine, approved May 23d, 1887, heretofore recommitted to the committee on propositions and grievances, was reported back with an amendment.

Mr. ROBERTS of *Smythe and Bland*, under a suspension of the rule, presented

No. 158. Joint resolution requesting the senators and representatives from Virginia in the Congress of the United States to use all proper means to secure the passage of a bill for the suppression of pleuro-pneumonia, known as the Palmer bill, which was read a first time.

A resolution was reported from the committee on schools and colleges as follows:

Resolved by the House of Delegates (the Senate concurring), That a joint committee of two members of the Senate committee on public institutions, and three members of the House committee on schools and colleges, be chosen by said Senate and House committees, respectively, whose duty it shall be to visit the Virginia military institute, and to investigate and ascertain the facts and report upon all matters which may be brought to their attention in reference to the management, condition and needs of that institution, and to make such recommendations as they may deem proper; and the said committee may send for persons and papers, and may cause the testimony of any witnesses, who may be produced before them, to be taken down in writing, and the taking of any such testimony may be taken before the whole committee or a sub-committee thereof.

And they may employ a stenographer.

On motion of Mr. HAY, the resolution was passed by.

Mr. RYAN offered the following concurrent resolution:

Resolved (the Senate concurring), That the General Assembly will proceed at half past one P. M. this Wednesday, January 18th,

1888, to the election of a register of the land office and city judges for the cities of Alexandria and Lynchburg, respectively.

In the execution of this joint order the roll shall be called for each officer to be elected, after which a joint committee shall be appointed consisting of three members of the House and two members of the Senate, who shall count and report the results of the elections to their respective houses.

—Which was agreed to.

Mr. RYAN moved to reconsider the vote by which the resolution was agreed to.

Ordered, That Mr. RYAN carry the bill to the Senate and request their concurrence.

A message was received from the Senate by Mr. Rhea, who informed the House that the Senate had agreed to the resolution.

Mr. POLLARD, under a suspension of the rule, offered the following resolution:

Resolved, That the auditor of public accounts be instructed to report to this House the amounts due from the several treasurers of the counties and cities of the commonwealth on the revenues assessed in their several counties and corporations for the four years previous to the end of the last fiscal year, showing, seperately, the years on which due, and stating what action, if any, in each case has been taken to collect the same.

The resolution was agreed to.

Mr. STARKE offered the following resolution:

Whereas, by the report of a special committee of the two Houses of the General Assembly of Virginia, who had been appointed to examine the State securities deposited in the basement offices of the capitol of Virginia, filed on the 22d day of March, 1887, it appears that large amounts of State bonds, &c., that had been paid by the State, amounting to the enormous sum of $1,096,399.47 remained uncancelled in one of the basement offices, all or nearly all of which, if abstracted, might have resulted in great loss to the State; and

Whereas many grave errors and omissions were discovered and reported by said committee; and

Whereas it also appears by said report that there have been various transactions which the books of officers do not explain; therefore,

Resolved, That the committee on finance of this House be instructed to inquire what legislation, if any, is necessary to protect the interest of the State against a recurrence of the evils and dangers aforesaid, and report by bill or otherwise.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

The SPEAKER appointed Messrs. MAGRUDER, WILLIAMS and PARR the committee, under resolution, to investigate applications by disabled soldiers, sailors and marines on file in office of auditor of public accounts.

Leave of absence was granted Messrs. WEST and TERRELL two days each.

Mr. WRIGHT moved a suspension of the rule to enable him to place on the calendar a concurrent resolution in relation to the reduction of the pay of all State and county officers; which motion was rejected.

The resolution was referred to the committee on retrenchment and economy.

The following were presented and referred under Rule 37:

By Mr. HOBSON: A bill for the relief of E. A. Snellings, of the city of Manchester. Referred to the committee on finance.

By Mr. MCCLINTIC: A bill for the relief of the tax-payers of Alleghany county. Referred to the committee on finance.

By Mr. BUFORD: A bill to authorize the auditor of public accounts to release real estate sold for delinquent taxes and purchased by the commonwealth, under certain circumstances. Referred to the committee on finance.

By Mr. ROBERTS of *Smythe and Bland:* A bill to appropriate money to erect additional buildings at the Southwestern lunatic asylum. Referred to the committee on finance.

By Mr. HAY: A bill to provide a clerk for the board of public works. Referred to the committee on finance.

By Mr. MCCLINTIC: A bill to allow Joseph F. Fudge, treasurer of Alleghany county, further time to distrain, levy and collect certain tax-tickets and license taxes for which he has accounted to the State. Referred to the committee on finance.

By Mr. DABNEY: A bill to amend and re-enact section 1 of an act entitled an act to prescribe a rule of evidence in certain cases, approved January 26th, 1886. Referred to the committee for courts of justice.

By Mr. SILVER: A bill to amend section 1, chapter 156, Acts of Assembly 1884, entitled an act to amend and re-enact section 1 of an act approved February 25, 1884, entitled an act to allow mileage to jurors. Referred to the committee for courts of justice.

By Mr. HUFFMAN: A bill to amend section 1 of an act entitled an act to provide for a new registration of voters at Stockyards precinct, in the county of Roanoke, approved May 18, 1887. Referred to the committee on privileges and elections.

By Mr. MUSTAIN: A bill in regard to clerks of electoral boards. Referred to the committee on privileges and elections.

By Mr. SMITH: A bill to authorize certain counties to exempt for a term of years from county taxations the property of the Virginia Western railroad company therein. Referred to the committee on counties, cities and towns.

By Mr. CRAWFORD: A bill to authorize the county of Albemarle to borrow money for the use of the Agricultural station of Virginia. Referred to the committee on counties, cities and towns.

By Mr. FIGGATT: A bill to amend section 26 of an act entitled an act to provide for working and keeping in repair the public roads of Botetourt. Referred to the committee on counties, cities and towns.

By Mr. SANGER: A bill to submit a vote to the people of Rockbridge county to determine whether dogs shall be taxed or not. Referred to the committee on counties, cities and towns.

By Mr. CRAWFORD: A bill to apply the money appropriated by Congress for the establishment of Agricultural experimental stations to the Agricultural experimental station of Virginia. Referred to the committee on counties, cities and towns.

By Mr. CRAWFORD: A bill to establish the Agricultural experimental station of Virginia. Referred to the committee on agriculture and mining.

By Mr. ARNOLD: A bill to regulate commerce in the State of Virginia. Referred to the committee on roads and internal navigation.

By Mr. EDWARDS: A bill to incorporate Brambleton lodge, No. 56, Knights of Phythias, of Norfolk city, of Virginia. Referred to the committee on propositions and grievances.

By Mr. BUFORD: Petition of Rescue lodge, No. 532, Good Templars. Referred to the committee on propositions and grievances.

By Mr. KINCHELOE: A bill to incorporate Scott telephone and telegraph company in the county of Fauquier. Referred to the committee on propositions and grievances.

By Mr. HERBERT: A bill to incorporate the Young men's christian association of Portsmouth, Va. Referred to the committee on propositions and grievances.

By Mr. STARKE: Petition of Merchants' exchange of Norfolk in favor of the abolition of the compulsory feature in the inspection laws as to fish and flour. Referred to the committee on propositions and grievances.

By Mr. EWELL: A petition from citizens of Accomac and Northampton counties asking that a law be passed prohibiting the catching of fish by means of pound nets and traps from January 1st to September 1st. Referred to the committee on Chesapeake and its tributaries.

The morning hour having expired, the House proceeded to the business on the calendar.

Mr. LOVING moved to reconsider the vote by which No. 116, House engrossed bill to authorize the Radford land and improvement company to erect a dam across New river was passed; which motion was rejected.

Ordered, That Mr. LOVING carry the bill to the Senate and request their concurrence.

No. 78. House engrossed bill was, on motion of Mr. CATLETT, passed by.

Nos. 96, 101, 106, 108, 111, 120, 122, 123 and 124, House bills were, on motions severally made, passed by.

The following House bills were on motions severally made dismissed:

No. 105. House bill to exempt the manufacture and sale of wines and brandies made from fruit within the county of Albemarle from the operation of local option or prohibition laws. (On motion of Mr. HARRIS of *Albemarle*.)

No. 109. House bill to amend the law in relation to compensation of clerks of circuit courts. (On motion of Mr. ALLENSWORTH.)

No. 128. House bill to authorize the trustees of St. John's Protestant Episcopal church at Hampton to borrow money and secure it by deed of trust. (On motion of Mr. HAY.)

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 99. House bill to authorize the council of the city of Portsmouth to issue bonds for the purpose of retiring and refunding certain outstanding bonds of said city.

No. 113. House bill to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16th, 1887.

No. 114. House bill to authorize the board of supervisors of Clarke county to appropriate a sum not exceeding one hundred dollars from the county levy for the purchase of fuel for the county jail.

No. 121. House bill for the relief of Bethel Presbyterian church, Shemariah Presbyterian church and St. John's German Reformed church in Augusta county.

No. 125. House bill to authorize the board of visitors of the University to commute gifts, devises and bequests to said University taking effect in future and to settle questions arising in relation thereto by arbitration or suit.

No. 126. House bill to exempt undertakers from jury service.

No. 127. House bill to authorize clerks of circuit courts to take acknowledgements to deeds and other writings and to certify the same.

Mr. ECHOLS entered a motion to reconsider the vote by which No. 126 House bill was ordered to be engrossed.

No. 110. House bill to repeal chapter 83 of Code of 1887, in regard to inspection of tobacco, was, on motion of Mr. SAUNDERS, committed to the committee on propositions and grievances.

No. 129. House bill to establish a bureau of labor and the office of labor commissioner for the commonwealth of Virginia, and to define the duties of such commissioner, was read a second time.

Pending the consideration of which,

The hour of half-past one o'clock P. M. having arrived,

Ordered, That Mr. CATLETT inform the Senate that the House is ready on its part to proceed to the execution of the joint order.

A message was received from the Senate by Mr. Edmunds, who informed the House that the Senate is ready on its part to proceed to the execution of the joint order.

Mr. CATLETT nominated William R. Gaines, of the county of Charlotte, for the office of register of the land office.

Mr. TREAT nominated A. T. Mooklar, of the county of King William.

Ordered, That Mr. WATKINS inform the Senate that William R. Gaines and A. T. Mooklar are in nomination in the House.

A message was received from the Senate by Mr. Read, who informed the House that William R. Gaines and A. T. Mooklar are in nomination in the Senate.

The roll was called with the following result:

For William R. Gaines, - - -	49
A. T. Mooklar, - - - -	28

The vote was recorded as follows:

For WILLIAM R. GAINES—Messrs. Allensworth, D. W. Anderson, Baldwin, Barbour, Buford, Carter, Catlett, Counts, Crawford, Crismond, Curtis, Dabney, Echols, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West and Wright—49.

For A. T. MOOKLAR—Messrs. Ash, Bristow, Goodman Brown, John A. Browne, Corbett, Dickey, Elam, Evans, Jarratt, Jones, McCandlish, McClintic, McNeil, William L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Treat and Waddill—28.

Mr. MARTIN stated that had he been present when the vote was taken in the election of register of the land office he would have voted for A. T. Mooklar.

Mr. HAY nominated Charles E. Stuart for the office of city judge for Alexandria.

Mr. CORBETT nominated J. C. Deputron.

Ordered, That Mr. HAY inform the Senate that Charles E. Stuart and J. C. Deputron are in nomination in the House.

A message was received from the Senate by Mr. Moore, who informed the House that Charles E. Stuart and J. C. Deputron are in nomination in the Senate.

The roll was called with the following result:

For Charles E. Stuart, - - -	48
J. C. Deputron, - - - -	25

The vote was recorded as follows:

For CHARLES E. STUART—Messrs. Allensworth, D. W. Anderson, Baldwin, Barbour, Buford, Carter, Catlett, Counts, Crawford, Crismond, Curtis, Dabney, Echols, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, R. H. Tyler, Watkins, West and Wright—48.

For J. C. DEPUTRON—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Dickey, Elam, Evans, Jones, McCandlish, McClintic, McNeil, William L. Moore, Parr, Pedigo, Perkins, Phillips, Quesenberry, Roane, Robinson, Sanger, Tinsley, Treat and Waddill—25.

Mr. TERRELL nominated J. Singleton Diggs for the office of city judge for Lynchburg.

Mr. TINSLEY nominated Charles P. Latham.

Ordered, That Mr. TERRELL inform the Senate that J. Singleton Diggs and Charles P. Latham are in nomination in the House.

A message was received from the Senate by Mr. Williams, who informed the House that J. Singleton Diggs and Charles P. Latham are in nomination in the Senate.

The roll was called with the following result:

For J. Singleton Diggs,	-	-	-	48
Charles P. Latham,	-	-	-	22

The vote was recorded as follows:

For J. SINGLETON DIGGS—Messrs. Allensworth, Baldwin, Barbour, Buford, Carter, Catlett, Counts, Crawford, Crismond, Curtis, Dabney, Echols, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, R. H. Tyler, Watkins, West and Wright—48.

For CHARLES P. LATHAM—Messrs. Ash, Bristow, Corbett, Elam, Jarratt, Jones, McCandlish, McClintic, McNeil, William L. Moore, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, Roane, Sanger, Tinsley, Treat, Waddill and Young—22.

The SPEAKER appointed Messrs. CATLETT, HUNTER and CORBETT the committee on the part of the House to count and report the joint votes.

The committee subsequently, by its chairman, reported as follows:

For register of the land office:

Whole number of votes cast,	-	-		108
Necessary to a choice,	-	-	-	55
William R. Gaines received	-	-	-	69
A. T. Mooklar,	-	-	-	39

William R. Gaines having received a majority of all the votes cast, was declared duly elected register of the land office for the term prescribed by law.

For city judge for Alexandria:

Whole number of votes cast, - -	106
Necessary to a choice, - - -	54
Charles E. Stuart received - - -	70
J. C. Pedutron, - - - -	36

Charles E. Stuart having received a majority of all the votes cast, was declared duly elected city judge for Alexandria for the term prescribed by law.

For city judge for Lynchburg:

Whole number of votes cast, - -	103
Necessary to a choice, - - -	52
J. Singleton Diggs received - - -	70
Charles P. Latham, - - - -	32
L. S. Marye, - - - - -	1

J. Singleton Diggs having received a majority of all the votes cast, was declared duly elected city judge for Lynchburg for the term prescribed by law.

On motion of Mr. TYLER of *Richmond city*, the House adjourned until to-morrow at twelve o'clock M.

THURSDAY, JANUARY 19, 1888.

On motion of Mr. HERRING, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 18, 1888.

The Senate have passed House bill entitled an act to amend and re-enact the 5th section of the charter of the Farmville and Charlottesville railroad company, as amended and re-enacted by an act of the General Assembly of Virginia, approved on the 13th day of January, 1888, No. 115.

They have passed Senate bill entitled an act to incorporate the Mount Vernon avenue association, No. 71.

And they have agreed to Senate resolution recalling from the House of Delegates Senate bill No. 113.

In which bill and resolution they respectfully request the concurrence of the House of Delegates.

No. 71. Senate bill, was read twice and referred to the committee on propositions and grievances.

Senate resolution as follows:

Resolved, That the House of Delegates be requested to return to the Senate No. 133, Senate bill entitled an act to permit tax-payers who have tendered coupons in payment of taxes to make payment in money to county and city treasurers, &c.

—Communicated this morning, came up.

Mr. HAY offered an amendment in the nature of a substitute as follows:

Resolved (the Senate concurring), That the keeper of the rolls be instructed to retain Senate bill No. 133, to permit tax-payers who have tendered coupons in payment of taxes to make payment in money to county and city treasurers, &c.

—Which was rejected.

The Senate resolution was disagreed to—yeas 8; nays 69.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Buford, Crawford, Echols, Hay, Ryan and R. H. Tyler—8.

NAYS—Messrs. Allensworth, Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, John A. Browne, Carter, Catlett, Coleman, Corbett, Counts, Crismond, Curtis, Dabney, Dickey, Edwards, Elam, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herring, Hobson, Huffman, Hunter, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Magruder, Mayo, McClandlish, McClintic, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Parr, Pedigo, Perkins, Phillips, Pilcher, Pollard, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Saunders, Sebrell, Simpson, Smith, Spencer, Tinsley, Treat, Lyon G. Tyler, Waddill, Watkins, Webb, Williams, Wright and Young—69.

Mr. MCCANDLISH moved to reconsider the vote by which the Senate resolution was disagreed to; which motion was rejected.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 159. A bill to amend and re-enact section 2871 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth in relation to special partnerships.

160. A bill to amend and re-enact section 887, chapter 38 of Code of Virginia of 1887, in relation to vagrants (with a recommendation that it do not pass).

No. 161. A bill to amend and re-enact an act approved March 28th, 1879, to provide for the appointment of a special constable to execute attachments and warrants of distress (with a recommendation that it do not pass).

No. 162. A bill to amend and re-enact sections 3345 and 3346 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16th, 1887.

No. 163. A bill to allow husband and wife to testify in behalf of each other in criminal cases.

No. 164. A bill to repeal sections 10 and 11 of chapter 86, Code of 1873, and section 41 of chapter 86, Code of 1873, as amended and re-enacted by an act entitled an act to amend and re-enact section 41 of chapter 86, Code of 1873, in relation to inspections, approved April 2d, 1874.

No. 165. A bill to secure payment into the treasury of all moneys received for the use of State seals by the several officers of the commonwealth, and to provide a manner for affixing said seals and the penalties thereof.

No. 166. A bill to repeal sections 1853, 1854 and 1884 of chapter 84 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16th, 1887, in relation to the inspection of flour.

No. 65. House bill to provide for the payment of justices of the peace, witnesses and physicians in certain cases, heretofore recommitted to the committee for courts of justice, was reported back with amendments.

No. 93. House bill to authorize and empower the Tunis lumber company, of Baltimore city, to hold land in the State of Virginia, heretofore recommitted to the committee for courts of justice, was reported back.

No. 167. House joint resolution respecting the quarters of the Southern historical society, reported from the committee on officers and offices at the capitol, was read a first time.

No. 103. House bill to allow W. J. Cave, treasurer of Madison county, further time to collect tax-tickets for which he has accounted to the State, heretofore recommitted to the committee on finance, was reported back with an amendment.

No. 168. House bill for the relief of E. L. Costin, late treasurer of Northampton county, reported from the committee on finance, was read a first time.

No. 169. House bill to amend and re-enact an act approved May 6, 1887, entitled an act to incorporate the Mineral railroad company, reported from the committee on roads and internal navigation, was read a first time.

The following report was agreed to:

The committee on finance have, according to order, had under consideration a bill to them referred, to amend and re-enact sections 102 and 110 of an act entitled an act prescribing general provisions in relation to commissioners of the revenue and the assessment of taxes on persons, property, income, licenses, &c., approved March 16th, 1875, respectfully ask to be discharged from its further consideration, and that it be referred to the committee for courts of justice.

A resolution from the committee on schools and colleges, providing for the appointment of a joint committee to visit the Virginia

military institute at Lexington for the purpose of an investigation, was, on motion of Mr. BUFORD, postponed until Monday next.

A message was received from the Senate by Mr. Dalton, who informed the House that the Senate had passed House bill entitled an act to empower and authorize the local board of improvement of Brambleton ward, city of Norfolk, by and with the consent of the select and common councils of the city of Norfolk, to borrow money, No. 107.

Mr. WADDILL offered the following:

Resolved, That the committee on privileges and elections be instructed not to allow the reopening of or the further taking of evidence in the contested election case of Love against Overby, and that said committee be instructed to report the said case to the House upon the evidence now before it.

The House referred the resolution to the committee on privileges and elections—yeas 45; nays 34.

On motion of Mr. TREAT, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Echols, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Kincheloe, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Pilcher, Pollard, J. Roberts, Ryan, Sebrell, Silver, Simpson, Smith, Lyon G. Tyler, R. H. Tyler, Watkins and Williams—45.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Daingerfield, Dickey, Elam, A. W. Harris, J. S. Harris, Herring, Jones, Johnson, Mayo, McCandlish, McClintic, McNeil, William L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Spencer, Tinsley, Treat, Waddill, Webb and Young—34.

Mr. WADDILL offered the following resolution:

Resolved, That it is the sense of this House that the committee on privileges and elections in no case should allow the reopening of the evidence in any such cause before it without being first directed so to do by order of the House.

The House refused to refer the resolution to a committee.

The resolution was rejected—yeas 30; nays 43.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Dickey, Elam, A. W. Harris, Herring, Jones, Johnson, Martin, Mayo, McCandlish, McClintic, McNeil, Parr, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Spencer, Tinsley, Treat, Waddill, Webb and Young—30.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, Baldwin, Buford, Carter, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Echols, Edwards, Ewell, Figgatt, Flood, Graves, J. S. Harris, Hay, Hobson, Huffman, Hunter, Kincheloe, Leggett, Loving, Magruder, A. Moore, Jr., J. E. Moore, Morton, Mustain, Pilcher, Pollard, J. Roberts, Ryan, Saunders, Sebrell, Simpson, Lyon G. Tyler, R. H. Tyler, Watkins, Williams and Wright—43.

Mr. CARDWELL stated that had he been present when the votes were taken on the election of register of the land office and city judges

for Alexandria and Lynchburg, respectively, he would have voted for William R. Gaines, Charles E. Stuart and J. Singleton Diggs.

Messrs. MARTIN, HERRING, BASKERVILLE and HARRIS of *Dinwiddie* stated that had they been present they would have voted for A. T. Mooklar, J. C. Deputron and Charles P. Latham.

The following were presented and referred under Rule 37:

By Mr. SAUNDERS: A bill to re-establish the whipping-post as a punishment for petit larceny in the county of Franklin. Referred to the committee for courts of justice.

By Mr. JONES: A bill to prohibit the selling and delivering of cotton in the seed between the hours of sunset and sunrise. Referred to the committee for courts of justice.

By Mr. HUFFMAN: A bill requiring that all applicants interested in an appeal or writ of error shall contribute to the costs. Referred to the committee for courts of justice.

By Mr. FLOOD: A bill to authorize the supervising trustees of Union academy, of Appomattox county, to fill vacancies. Referred to the committee on schools and colleges.

By Mr. COUNTS: A bill to incorporate the Intermont land and improvement company. Referred to the committee on propositions and grievances.

By Mr. LOVING: A bill to amend and re-enact section 6 of an act approved the 1st day of March, 1886, entitled an act to incorporate the Lynchburg perpetual building and loan company. Referred to the committee on propositions and grievances.

By Mr. HUFFMAN: A bill to incorporate the South View orphan home. Referred to the committee on propositions and grievances.

By Mr. CORBETT: A joint resolution in reference to the contract and lease systems of convict labor in operation in the penitentiary of Virginia. Referred to the committee on asylums and prisons.

By Mr. BROWNE of *Nansemond:* A bill to incorporate the Montrose land and improvement company. Referred to the committee on roads and internal navigation.

By Mr. HERBERT: A bill to incorporate the Portsmouth and Southwestern railroad company. Referred to the committee on roads and internal navigation.

By Mr. GORDON: A bill to direct a sale of the State's interest in the Richmond, Fredericksburg and Potomac railroad. Referred to the committee on roads and internal navigation.

By Mr. BUFORD: A bill to incorporate the Suburban and Exposition railway company. Referred to the committee on roads and internal navigation.

By Mr. BROWNE of *Nansemond:* A bill to authorize Theodore Haughwont to erect a wharf on Chuckatuck creek and a pier-head on his oyster ground on James river. Referred to the committee on Chesapeake and its tributaries.

By Mr. BRISTOW: A bill to amend and re-enact section 6 of chapter 100, Code of 1873, as amended by an act approved February 20,

1878, as amended and re-enacted by an act approved March 31, 1879, in relation to unlawful fishing. Referred to the committee on Chesapeake and its tributaries.

By Mr. COLEMAN: A bill to provide a new registration of voters in the town of North Danville, Pittsylvania county. Referred to the committee on privileges and elections.

By Mr. CRISMOND: A bill providing for the appointment of agents in reference to the settlement and collection of taxes paid by the people of the State of Virginia as direct taxes under the act of Congress approved August 5th, 1861, and to audit and settle said claims. Referred to the committee on federal relations and resolutions.

By Mr. HERBERT: A bill giving the consent of this State to the purchase, by the United States, of a lot of land in the city of Portsmouth, for the light house board. Referred to the committee on federal relations and resolutions.

By Mr. HERBERT: A bill giving the consent of this State to the purchase, by the United States, of certain real estate in the county of Norfolk, and exempting the same from taxation. Referred to the committee on federal relations and resolutions.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 129. House bill to establish a bureau of labor and the office of labor commissioner for the commonwealth of Virginia, and to define the duties of such commissioner, unfinished business, came up.

On motion of Mr. CARTER, the bill was postponed and made the special and continuing order for Tuesday next, the 24th, at one o'clock P. M.

The following House engrossed bills were read a third time and passed:

No. 99. House engrossed bill to authorize the council of the city of Portsmouth to issue bonds for the purpose of retiring and refunding certain outstanding bonds of said city.

No. 113. House engrossed bill to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

No. 114. House engrossed bill to authorize the board of supervisors of Clarke county to appropriate a sum not exceeding one hundred dollars from the county levy for the purchase of fuel for the county jail.

No. 121. House engrossed bill for the relief of Bethel Presbyterian church, Shemariah Presbyterian church and St. John's German Reformed church, in Augusta county—yeas 69.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Ash, Barbour, Baskerville, Goodman Brown, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dickey, Echols, Edwards, Elam, Figgatt, Gordon, Graves, A. W. Harris, Hay, Herbert, Herring, Hobson, Huffman, Hunter, Jones, Johnson, Kincheloe, Leggett, Magruder, Mayo, McClintic, McKee, McNeil, A. Moore, Jr., J. E. Moore, Morton, Mustain, Parr, Perkins, Phillips, Pilcher, Pollard, Porter, Riner, Roane, E. L. Roberts, J. Roberts, Saunders, Scott, Sebrell, Silver, Simpson, Smith, Spencer, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, Williams, Wright and Young—69.

No. 125. House engrossed bill to authorize the board of visitors of the University to commute gifts, devises and bequests to said University taking effect in future and to settle questions arising in relation thereto by arbitration or suit.

No. 127. House engrossed bill to authorize clerks of circuit courts to take acknowlegments to deeds and other writings and to certify the same.

Motions severally made to reconsider the votes by which House engrossed bills Nos. 113, 114 and 121 were passed, were rejected.

No. 78. House engrossed bill, was, on motion of Mr. CATLETT, passed by.

No. 126. House engrossed bill to exempt undertakers from jury service came up.

The motion, by Mr. ECHOLS, to reconsider the vote by which the bill was ordered to be engrossed was, on motion of Mr. ECHOLS, passed by.

No. 25. House bill, was, on motion of Mr. ECHOLS, passed by.

No. 65. House bill to provide for the payment of justices of the peace, witnesses and physicians in certain cases, was read a second time.

The amendment proposed by the committee for courts of justice as follows:

Strike out in eighth and ninth lines the words, "two dollars and fifty cents for each day's attendance," and insert, "five dollars in each case."

—Was rejected—yeas 28; nays 40.

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Speaker, Ash, Baskerville, Bristow, Goodman Brown, Elam, Ewell, Figgatt, Flood, Gordon, A. W. Harris, Hunter, Jones, Martin, Magruder, McClintic, McKee, Perkins, Phillips, Roane, Sanger, Simpson, Treat, Lyon G. Tyler, Waddill, Watkins, Webb and Williams—28.

NAYS—Messrs. Allensworth, D. W. Anderson, Baldwin, Barbour, Buford, Carter, Coleman, Counts, Crawford, Crismond, Dabney, Dickey, Edwards, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, McNeil, Morton, Mustain, Parr, Pedigo, Pilcher, Porter, Quesenberry, Riner, J. Roberts, Ryan, Scott, Sebrell, Silver, Smith, Sanger, Tinsley, R. H. Tyler and Young—40.

Mr. SCOTT moved to reconsider the vote by which the amendment was rejected.

On motion of Mr. ELAM, the motion by Mr. SCOTT to reconsider was passed by.

On motion of Mr. TYLER of *Richmond city*, the House adjourned until to-morrow at twelve o'clock M.

FRIDAY, JANUARY 20, 1888.

On motion of Mr. PILCHER, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 19, 1888.

The Senate have agreed to the amendment proposed by the House of Delegates to Senate bill entitled an act to incorporate the Falls Church and Potomac railway company, No. 4.

They have passed Senate bills entitled an act to authorize the trustees of the Presbyterian church at Roanoke city to borrow money and secure by deed of trust, No 82; an act for the relief of A. J. Bishop from the payment of a fine, No. 85; an act to incorporate the Wythe canning and manufacturing company, No. 115; an act to incorporate the Merchants bank of Danville, Va., No. 110; an act to incorporate the Manchester manufacturing company, No. 116; and an act to incorporate the Crimora Manganese company, No. 102.

In which bills they respectfully request the concurrence of the House of Delegates.

No. 116. Senate bill, was read twice and referred to the committee on propositions and grievances.

No. 82. Senate bill, was read twice and referred to the committee for courts of justice.

No. 85. Senate bill, was read twice and referred to the committee on finance.

No. 115. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. PORTER, requiring its reference to a committee.

No. 110. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. COLEMAN, requiring its reference to a committee.

No. 102. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. DABNEY, requiring its reference to a committee.

No. 170. A bill to provide for abating public nuisances and to recover damages for injury caused thereby, reported from the committee for courts of justice, was read a first time.

No. 94. House engrossed bill to amend and re-enact section 848 of chapter 369, Code of Virginia of 1887, relating to the duties and compensation of district officers, heretofore recommitted to the committee for courts of justice, was reported back.

No. 171. House bill to amend section 26 of an act entitled an act to provide for working and keeping in repair the public roads of Botetourt county, Va., reported from the committee on counties, cities and towns, was read a first time.

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 172. House bill to incorporate Brambleton lodge, No. 56, Knights of Pythias, of Norfolk city, Va.

No. 173. House bill to incorporate Scott telephone and telegraph company in the county of Fauquier.

No. 174. House bill to incorporate the Falls Church telephone company.

No. 175. House bill to require insurance companies operating upon the assessment plan to make statements to policy holders or members.

No. 176. House bill to incorporate the Foreign mission board of the Southern Baptist convention.

No. 177. House bill to incorporate the West End water company.

No. 178. House bill repealing an act protecting rabbits or hares in the county of Chesterfield.

No. 179. House bill providing a special game law for Southampton county (with a recommendation that it do not pass).

No. 180. House bill providing a special game law for the county of Caroline (with a recommendation that it do not pass).

No. 181. House bill providing a special game law for Prince Edward county (with a recommendation that it do not pass).

No. 182. House bill for the better protection of quail and partridges in the commonwealth (with a recommendation that it do not pass).

No. 183. House bill to amend and re-enact section 16 of chapter 99, Code of 1873, in relation to wild fowl, as amended and re-enacted by an act approved March 3d, 1886.

No. 184. House bill to amend and re-enact sections 2082 and 2084 of chapter 95 of the Code of 1887, in relation to wild game.

On motion of Mr. SILVER,

Resolved, That a communication from the commissioner of agriculture to the House of Delegates to amend certain acts of the General Assembly in reference to fertilizers, and referred to committee on agriculture, be printed before being considered by the committee.

Mr. TREAT moved that No. 26 Senate bill, entitled an act providing a special game law for the counties of Buckingham, Augusta, Culpeper, Rappahannock, Madison and Orange, be taken up from the table; which motion was agreed to.

The bill was placed on the calendar.

On motion of Mr. MOORE of *Clarke and Warren*,

Resolved, That when this House adjourn this day it adjourn until Monday next.

Leave of absence was granted Messrs. JARRATT one day, and JONES and ROBERTS of *Washington*, two days each, and PILCHER three days.

The committee on enrolled bills report that the governor has approved the following bills:

An act to incorporate the trustees of the Baptist State mission board.

An act to provide for the payment of expenses of the circuit court of Frederick county.

An act to enable the board of supervisors of Roanoke county to borrow money for the purpose of enlarging the clerk's office of said county, and for other purposes.

An act for the relief of John Collins from the payment of a fine and costs imposed by the county court of Grayson county.

An act for the relief of Walter S. Phillips.

An act to authorize the mayor and common council of the town of Chatham, in the county of Pittsylvania, to borrow money.

An act to authorize the Northampton county court to pay to Geo. T. Turner and others, trustees of Trinity church, the damages assessed them on the petition of the New York, Philadelphia and Norfolk railroad company, to acquire the real estate of said church for the use of said company.

An act to amend and re-enact sections 112, 633, 674, 2533, 3045, 3053, 3093, 3091, 3455, 3492, 4048 and 4049 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16th, 1887.

The following bills were presented and referred under Rule 37:

By Mr. SCOTT: A bill to allow W. B. W. Brooking, late treasurer of Goochland county, and his deputies, further time in which to collect levies and taxes already accounted for by him to the auditor of public accounts. Referred to the committee on finance.

By Mr. PARR: A bill for the relief of the sureties of Isaac N. Akers, late treasurer of Patrick county. Referred to the committee on finance.

By Mr. CARTER: A bill to provide for the payment of the members of the special joint committee of the General Assembly of Virginia, acting under resolution of the 8th of February, 1886, and for the payment of the accountant of the said committee. Referred to the committee on finance.

By Mr. RYAN: A bill to permit tax-payers, who, prior to the 5th day of December, 1887, have tendered coupons in payment of taxes, to make payment in money to county and city treasurers, &c. Referred to the committee on finance.

By Mr. MORTON: A bill to authorize the council of the town of Gordonsville to issue bonds for the purpose of constructing water-works. Referred to the committee on counties, cities and towns.

By Mr. ECHOLS: A bill to amend the charter of the city of Staunton. Referred to the committee on counties, cities and towns.

By Mr. BUFORD: A bill to authorize the extension of the Powell's Valley railway from the Tennessee State line across the southwest corner of Virginia to the Kentucky State line at or near Cumberland Gap. Referred to the committee on roads and internal navigation.

By Mr. GORDON: A bill to incorporate the Fauquier and Rappahannock railroad company. Referred to the committee on roads and internal navigation.

By Mr. MAYO: A bill entitled an act to amend and re-enact section 4 of chapter 146, title 45 of an act entitled limitations of suits, of the Code of 1873, and to repeal section 5 of said act. Referred to the committee for courts of justice.

By Mr. MAYO: A bill to provide for setting aside wills for forgery or other fraud. Referred to the committee for courts of justice.

By Mr. TYLER of *Richmond:* A petition of the board of visitors and president of the college of William and Mary. Referred to the committee on schools and colleges.

By Mr. FIGGATT: A bill to incorporate the Blacksburg telegraph and telephone company in the county of Montgomery. Referred to the committee on propositions and grievances.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 164. House bill to repeal sections 10 and 11 of chapter 86, Code of 1873, and the 41st section of chapter 86, Code of 1873, as amended and re-enacted by an act entitled an act to amend and re-enact section 41 of chapter 86, Code of 1873, in relation to inspections, approved April 2, 1874, was, on motion of Mr. BUFORD, taken up out of its order on the calendar.

On motion of Mr. BUFORD, the bill was postponed and made a special and continuing order for Monday next at one o'clock P. M.

No. 166. House bill to repeal sections 1853, 1854 and 1884 of chapter 84 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the inspection of flour and fish, was, on motion of Mr. BUFORD, taken up out of its order on the calendar.

On motion of Mr. BUFORD, the bill was postponed and made a special and continuing order for Monday next at one o'clock.

The following Senate bills were read a third time and passed:

No. 102. Senate bill entitled an act to incorporate the Crimora Manganese company.

No. 110. Senate bill entitled an act to incorporate the Merchants bank of Danville.

No. 115. Senate bill entitled an act to incorporate the Wythe canning and manufacturing company.

Mr. DABNEY moved to reconsider the vote by which Senate bill 102 was passed; which motion was rejected.

No. 26. Senate bill, was, on motion of Mr. ECHOLS, passed by.

No. 78. House engrossed bill, was, on motion of Mr. CATLETT, passed by.

The motion entered by Mr. ECHOLS to reconsider the vote by which No. 126, House engrossed bill to exempt undertakers from jury service, was, on motion of Mr. HAY, passed by.

No. 25. House bill to amend section 2 of an act entitled an act to require proper proof of disability in order to obtain aid as a disabled soldier or marine, approved May 23d, 1887, was, on motion of Mr. HAY, recommitted to the committee on propositions and grievances.

No. 65. House bill to provide for the payment of justices of the peace, witnesses and physicians in certain cases, came up.

The motion made by Mr. SCOTT to reconsider the vote by which the amendment proposed by the committee for courts of justice was rejected, was, on motion of Mr. WADDILL, passed by.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 93. House bill to authorize and empower the Tunis lumber company, of Baltimore city, to hold land in the State of Virginia.

No. 94. House bill to amend and re-enact section 848 of chapter 369, Code of Virginia of 1887, relating to the duties and compensation of district officers.

No. 96. House bill for the protection of fish in the waters of the commonwealth above tide-water.

The amendment pending, offered by Mr. McKEE, was agreed to.

Mr. FIGGATT moved to reconsider the vote by which the amendment offered by Mr. McKEE was agreed to; which motion was agreed to.

The question recurring on agreeing to the amendment offered by Mr. McKEE,

Mr. KINCHELOE moved to amend the amendment by striking out "Rockbridge county" and inserting "Rockbridge and Fauquier counties;" which was rejected.

The amendment, offered by Mr. McKEE, was rejected.

Mr. RYAN moved to lay the bill on the table; which was rejected.

Mr. WADDILL moved to amend the bill by inserting the following: "But the provisions of this act shall not apply to the waters of James river below Scottsville, in the county of Albemarle.

Pending which,

Mr. CATLETT moved that the House do now adjourn; which motion was rejected—yeas 33; nays 35.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Speaker, Baldwin, Baskerville, John A. Browne, Coleman, Counts, Edwards, Figgatt, Flood, Gordon, Herbert, Huffman, Jarratt, Martin,

Magruder, Mayo, J. E. Moore, Wm. L. Moore, Morton, Mustain, Pedigo, Perkins, Phillips, Pilcher, Riner, Ryan, Scott, Simpson, Spencer, Lyon G. Tyler, Watkins, Williams and Young—33.

NAYS—D. W. Anderson, Bristow, Buford, Carter, Catlett, Corbett, Crawford, Crismond, Curtis, Dabney, Echols, Elam, Ewell, Graves, A. W. Harris, J. S. Harris, Hay, Hunter, Johnson, Kincheloe, McCandlish, McKee, McNeil, Parr, Quesenberry, J. Roberts, Robinson, Saunders, Sebrell, Silver, Smith, Treat, R. H. Tyler, Waddill and Wright—35.

The amendment offered by Mr. WADDILL was rejected.

Mr. WADDILL entered a motion to reconsider the vote by which the amendment offered by himself was rejected.

Mr. HAY moved that the House do now adjourn; which motion was agreed to—yeas 47; nays 27.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Speaker, Ash, Baskerville, Bristow, Goodman Brown, Catlett, Counts, Crismond, Curtis, Dabney, Edwards, Flood, A. W. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Kincheloe, Leggett, Magruder, Mayo, McClintic, McKee, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Parr, Pedigo, Perkins, Phillips, Pilcher, Porter, Riner, J. Roberts, Ryan, Simpson, Smith, Treat, Waddill, Watkins, Webb, Williams and Young—47.

NAYS—Messrs. D. W. Anderson, Baldwin, John A. Browne, Buford, Carter, Corbett, Crawford, Echols, Elam, Ewell, Figgatt, Gordon, Graves, J. S. Harris, Hay, Johnson, Martin, McCandlish, Quesenberry, Robinson, Saunders, Scott, Sebrell, Silver, Lyon G. Tyler, R. H. Tyler and Wright—27.

The SPEAKER declared the House adjourned until Monday next at twelve o'clock M.

MONDAY, JANUARY 23, 1888.

On motion of Mr. CRISMOND, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 20, 1888.

The Senate have passed House bills entitled an act to incorporate the Petersburg and Asylum railway company, No. 11; an act to incorporate the town of Courtland, in the county of Southampton, No. 13; an act for the relief of William Scroggins, late treasurer of Warren county, No. 27; an act to amend and re-enact sections 2 and 5 of an act entitled an act to incorporate the Chowan and Southern railroad company, approved May 5, 1887, and to authorize the stockholders of said company to change its name to the Norfolk and Carolina railroad company, No. 35; an act to incorporate the Loudoun creamery association, No. 46; an act to authorize the board of

supervisors of Clarke county to loan out certain money to the credit of the sinking-fund provided for the redemption of the bonds of the county, No. 55; and an act to amend section 1 of an act entitled an act to reduce the number of trustees in Upper Appomattox company, passed December 23, 1797, No. 82.

They have passed with amendment House bill entitled an act to authorize the Radford land and improvement company to erect a dam across New river, No. 116.

They have passed Senate bills entitled an act to incorporate the Bristol and South Atlantic railroad company, No. 33; an act to amend and re-enact sections 3 and 4 of an act entitled an act appropriating the proceeds of the Glebe lands and other property belonging to the parishes of Abingdon Ware and Petsworth, in the county of Gloucester, and for other purposes, passed January 25, 1814, No. 68; an act to incorporate the Workingmen's association of Prince Edward county, No. 81; an act for the relief of Hughes Dillard, Jr., from the payment of a fine, No. 125; an act to authorize the issue of bonds and stock by the Chesapeake and Ohio railway company, No. 153; an act to amend and re-enact section 6 of chapter 323 of the Acts of the General Assembly of Virginia for 1887, and entitled an act to incorporate the Danville and Seaboard railroad company, No. 164; an act to prescribe the times for holding the courts of the Sixteenth judicial circuit, No. 183; an act to amend and re-enact an act entitled an act to incorporate the town of South Boston, in the county of Halifax, No. 190; and an act to incorporate the Wytheville telephone company and to authorize the merger of the charters of the Wythe, Bland, Carroll and Grayson telephone company and the Wytheville telephone exchange in said company, No. 225.

In which amendment and bills they respectfully request the concurrence of the House of Delegates.

No. 116. House bill with Senate amendments, was referred to the committee on counties, cities and towns.

No. 190. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. BALDWIN, requiring its reference to a committee.

No. 183. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. WILKINS, requiring its reference to a committee.

Nos. 33, 153 and 164 were read twice and referred to the committee on roads and internal navigation.

No. 125. Senate bill, was read twice and referred to the committee on finance.

No. 81. Senate bill, was read twice and referred to the committee on propositions and grievances.

No. 68. Senate bill, was read twice and referred to the committee on schools and colleges.

No. 225. Senate bill, was read twice and referred to the committee for courts of justice.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 185. House bill to amend and re-enact section 3724 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth.

No. 186. House bill to amend and re-enact section 4 of an act approved April 2d, 1874, amending and re-enacting sections 3, 4, 6 and 12 of chapter 154 of the Code of 1873, in relation to the jurisdiction of the county courts (with a recommendation that it do not pass).

No. 187. House bill to amend and re-enact section 3 of chapter 184 of the Code of 1873, in relation to the lien of a *fieri facias* (with a recommendation that it do not pass).

Mr. ELAM moved a suspension of the rule to place on the calendar a bill to regulate and restrict liability to labor on public roads and to abolish imprisonment for breach of such liability.

The question being on agreeing to the motion was put, no quorum voting.

Mr. HAY moved that the House do now adjourn; which motion was rejected—yeas 1; nays 53.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Mr. Magruder—1.

NAYS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Baskerville, Buford, Catlett, Corbett, Counts, Crawford, Curtis, Dabney, Daingerfield, Dickey, Echols, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Loving, Mayo, McKee, A. Moore, Jr., Wm. L. Moore, Mustain, Perkins, Quesenberry, Riner, Roane, Robinson, Ryan, Scott, Sebrell, Silver, Smith, Lyon G. Tyler, R. H. Tyler, Waddill, Wilkins, Williams and Young—53.

The motion by Mr. ELAM was rejected—yeas 21; nays 39.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. John A. Browne, Corbett, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Mayo, Wm. L. Moore, Pedigo, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Scott, Tinsley, Waddill and Young—21.

NAYS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Crawford, Crismond, Curtis, Dabney, Echols, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Loving, Magruder, McKee, McNeil, A. Moore, Jr., Mustain, Ryan, Sebrell, Smith, Lyon G. Tyler, R. H. Tyler, Wilkins, Williams and Wright—39.

The bill was referred to the committee on counties, cities and towns.

Mr. ELAM offered the following resolution:

Whereas the frequency of elections in this State is a great evil, not only costly to the people in time and money, but in promoting

all the heat, passion and strife so detrimental to good government and to the good feeling that should obtain among fellow-citizens; and

Whereas, if all our elections, State and Federal, were biennial and quadrennial, so that every other year would be without elections, giving the people a needed rest from political and party struggles and the animosities ensuing therefrom, a great public and private benefit, manifold in its blessings, would thereby be assured; and

Whereas both political parties in this State are committed by pledge and profession to the policy of a rest from elections every alternate year: therefore, be it

Resolved by the House of Delegates, That the committee for courts of justice be instructed, without delay, to prepare and report to this House such bills, resolutions and other measures as may be necessary to so amend our Constitution and laws as to give full effect to the policy indicated.

Resolved, That the said committee, in so far as their action shall not be in conflict with the Constitution, shall at once prepare and report a bill to this House conforming our elections, State, county and city, ward and district, as nearly as may be, to the policy above set forth.

The House referred the resolution to the committee for courts of justice—yeas 35; nays 24.

On motion of Mr. ELAM, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Catlett, Crawford, Crismond, Curtis, Dabney, Dickey, Echols, Edwards, Ewell, Figgatt, Graves, J. S. Harris, Hay, Herbert, Huffman, Hunter, Kincheloe, Loving, Magruder, A. Moore, Jr., Pedigo, Ryan, Saunders, Sebrell, Smith, Lyon G. Tyler, Wilkins, Williams and Wright—35.

NAYS—Messrs. Ash, Baskerville, Corbett, Daingerfield, Elam, Evans, A. W. Harris, Herring, Mayo, McKee, William L. Moore, Mustain, Perkins, Phillips, Quesenberry, Roane, Robinson, Sanger, Scott, Tinsley, Treat, R. H. Tyler, Waddill and Young—24.

Mr. WADDILL offered the following resolution:

Resolved, That the committee on privileges and elections be discharged from the further consideration of the resolution introduced in this House on Thursday last, the 19th instant, in reference to the contested election case of Love against Overby.

The House referred the resolution to the committee on privileges and elections—yeas 42; nays 24.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Catlett, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Loving, Magruder, McKee, Mustain, Saunders, Sebrell, Silver, Smith, Terrell, Lyon G. Tyler, R. H. Tyler, Wilkins, Williams and Wright—42.

NAYS—Messrs. Ash, Baskerville, John A. Browne, Corbett, *Daingerfield*, Dickey, Elam, Evans, A. W. Harris, Herring, Mayo, William L. *Moore*, *Pedigo*, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Treat, Waddill and Young—24.

Leave of absence was granted Messrs. MOORE of *Pulaski and Giles* one day, LEGGETT, MCNEIL, MCCLINTIC and SPENCER two days each, ROBERTS of *Smyth and Bland* three days, and ALLENSWORTH and WATKINS four days each.

The SPEAKER laid before the House a communication from the superintendent of the penitentiary in response to a resolution of the House in relation to disbursements by the State to the South Atlantic and Ohio railroad company and its predecessor companies in cash on account of convicts on their work, &c., which, on motion of Mr. HAY, was ordered to be printed. (Document No. 5.)

The following were presented and referred under Rule 37:

By Mr. DUPUY: A bill to incorporate the town of Blackstone, in Nottoway county, Va. Referred to the committee on counties, cities and towns.

By Mr. ECHOLS: A bill rearranging and extending the corporate limits of the city of Staunton. Referred to the committee on counties, cities and towns.

By Mr. HARRIS of *Albemarle:* A bill to amend and re-enact sections 20 and 30 of an act entitled an act to amend and re-enact an act prescribing the duties, powers, liabilities and compensation of certain county officers providing for the collection of taxes, and for the repeal of chapters 30 and 46, Code of 1873, approved March 29th, 1875, and all acts amendatory thereof. Referred to the committee on counties, cities and towns.

By Mr. JOHNSON: A bill to authorize the board of supervisors of the county of Isle of Wight to increase the salary of the county judge to $600. Referred to the committee for courts of justice.

By Mr. HARRIS of *Albemarle:* Joint resolution proposing an amendment to the 1st section of the 7th article of the Constitution of Virginia concerning county organizations, and for publishing said amendment, and for certifying the same to the next General Assembly. Referred to the committee for courts of justice.

By Mr. HARRIS of *Albemarle:* Joint resolution proposing an amendment to the Constitution of Virginia. Referred to the committee for courts of justice.

By Mr. CRISMOND: A bill to provide for the adoption of children and inheritances by and from them. Referred to the committee for courts of justice.

By Mr. FLOOD: A bill to regulate clerks' fees in certain cases. Referred to the committee for courts of justice.

By Mr. ELAM: Petition of Robert Grame, executor, against the Mutual assurance society of Virginia, asking that its charter be revoked, and that it be required to settle up its affairs, pay off its lia-

bilities under said charter, &c. Referred to the committee for courts of justice.

By Mr. MOORE of *Clarke and Warren:* A bill to amend chapter 449, section 2 of Acts of 1885–'6, entitled an act to regulate the appointment of boards of directors of the lunatic asylums and care of insane, and to repeal chapters 117 and 118 of Acts of Assembly of 1883–'4, respecting the appointment of the boards of said asylums. Referred to the committee on asylums and prisons.

By Mr. MOORE of *Clarke and Warren:* A bill to prohibit any director or other officer of a lunatic asylum from being interested in certain contracts. Referred to the committee on asylums and prisons.

By Mr. EWELL: Petition of tongmen of oysters asking that a law be passed prohibiting the taking of oysters in the Pocomoke sound and its tributaries during the month of May. Referred to the committee on Chesapeake and its tributaries.

By Mr. EWELL: A bill to amend and re-enact sections 13 and 49 of an act for the preservation of oysters and to obtain revenue for the privilege of taking them within the waters of the commonwealth, approved March 4, 1884, as amended by the act approved August 27, 1884, as amended by the acts approved November 26 and November 29, 1884, as amended by the act approved March 6, 1886, as amended by the act approved April 28, 1887. Referred to the committee on Chesapeake and its tributaries.

By Mr. BUFORD: A bill to incorporate the Virginia publishing company. Referred to the committee on propositions and grievances.

By Mr. DICKEY: A bill for the relief of Robert Jones, with accompanying petition for release of a fine. Referred to the committee on finance.

By Mr. BALDWIN: A bill for the relief of J. B. Dortch. Referred to the committee on finance.

By Mr. CATLETT: A bill to amend and re-enact section 90 of an act to provide for the assessment of taxes on persons, property and incomes, and imposing taxes thereon for the support of the government and public free schools and to pay the interest on the public debt, and to provide for the mode of applying for licenses to transact business in this State, approved March 15, 1884. Referred to the committee on finance.

The hour of one o'clock P. M. having arrived, special order,

No. 164. House bill to repeal sections 10 and 11 of chapter 86, Code of 1873, and the 41st section of chapter 86 of 1873, as amended and re-enacted by an act entitled an act to amend and re-enact section 41 of chapter 86, Code of 1873, in relation to inspections, approved April 2, 1874, was, on motion of Mr. FLOOD, postponed until to-morrow—yeas 38; nays 23.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Ash, Catlett, Corbett, Counts, Crawford, Dabney, Dickey, Echols, Evans, Flood, Gordon, A. W. Harris, Herbert, Herring, Hobson, Hunter, Johnson, Kincheloe, Loving, Magruder, Mayo, McKee, William L. Moore, Perkins, Roane, Robinson, Sanger, Silver, Smith, Terrell, Tinsley, Treat, Wilkins, Wright and Young—38.

NAYS—Messrs. W. A. Anderson, Baldwin, John A. Browne, Buford, Crismond, Curtis, Daingerfield, Edwards, Figgatt, Graves, J. S. Harris, Hay, Huffman, A. Moore, Jr., Mustain, Pedigo, Phillips, Scott, Sebrell, Lyon G. Tyler, R. H. Tyler, Waddill and Williams—23.

Special order,

No. 166. House bill to repeal sections 1853, 1854 and 1884 of chapter 84 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the inspection of flour and fish, was, on motion of Mr. BUFORD, postponed until to-morrow.

No. 26. Senate bill entitled an act providing a special game law for the counties of Buckingham, Augusta, Culpeper, Rappahannock, Madison and Orange, came up.

The amendment proposed by the committee on counties, cities and towns as follows: Insert "Prince Edward," was rejected.

On motion of Mr. HAY, the bill was amended by striking out "Madison."

On motion of Mr. FLOOD, the bill was amended by making the act apply to the county of Buckingham only.

The question being on ordering the bill to its third reading, was put and decided in the negative.

Mr. ECHOLS moved to reconsider the vote by which the House refused to order the bill to its third reading; which motion was rejected.

The following Senate bills were read a third time and passed:

No. 183. Senate bill entitled an act to prescribe the times for holding the courts of the Sixteenth judicial circuit.

No. 190. Senate bill entitled an act to amend and re-enact an act entitled an act to incorporate the town of South Boston, in the county of Halifax.

Mr. BALDWIN moved to reconsider the vote by which Senate bill No. 190 was passed; which motion was rejected.

No. 78. House engrossed bill, was, on motion of Mr. CATLETT, passed by.

No. 126. House engrossed bill to exempt undertakers from jury service, came up.

Mr. HAY moved to pass by the motion entered by Mr. ECHOLS to reconsider the vote by which the bill was ordered to be engrossed; which motion was rejected.

The motion entered by Mr. ECHOLS to reconsider, was rejected.

The bill was read a third time and passed.

Mr. TYLER of *Richmond city* moved to reconsider the vote by which the bill was passed; which motion was rejected.

The following House engrossed bills were read a third time and passed:

No. 93. House engrossed bill to authorize and empower the Tunis lumber company, of Baltimore city, to hold land in the State of Virginia.

No. 94. House engrossed bill to amend and re-enact section 848 of chapter 369, Code of Virginia of 1887, relating to the duties and compensation of district officers.

Mr. MOORE of *Clarke and Warren* moved to reconsider the vote by which No. 94, House engrossed bill was passed; which motion was rejected.

Nos. 65, 96 and 101. House bills, were on motions severally made passed by.

No. 103. House bill to allow W. J. Cave, treasurer of Madison county, further time to collect tax-tickets for which he has accounted to the State, was read a second time.

The amendment proposed by the committee on finance as follows:

Strike out the words, "Two years within which to distrain and levy for and collect any uncollected tax-tickets still in his hands and not returned delinquent," and insert in lieu thereof, "One year within which to distrain and levy for and collect any uncollected tax-tickets still in his hands for the years 1883, 1884, 1885 and 1886, and which are not returned delinquent.

—Was agreed to.

The bill was ordered to be engrossed to be read a third time.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 97. House bill to incorporate Tazewell female seminary.

No. 108. House bill to amend and re-enact section 2042 of the Code of 1887, in relation to trespass by cattle, &c.

No. 106. House bill to allow the board of supervisors of Dinwiddie county to increase the salary of the superintendent of public schools, was read a second time.

The question being on ordering the bill to be engrossed to be read a third time, was put and decided in the negative.

Mr. HARRIS of *Dinwiddie* entered a motion to reconsider the vote by which the House refused to order the bill to be engrossed.

Mr. HERRING moved that the House do now adjourn; which motion was agreed to—yeas 32; nays 24.

On motion of Mr. CRAWFORD, the vote was recorded as follows:

YEAS—Messrs. W. A. Anderson, Arnold, Ash, Buford, Crismond, Dabney, Daingerfield, Dickey, Dupuy, Edwards, Elam, Evans, Gordon, A. W. Harris, Herring, Hunter, Loving, McKee, A. Moore, Jr., Mustain, Pedigo, Quesenberry, Riner, Roane, Robinson, Scott, Sebrell, Smith, Terrell, Treat, Williams and Young—32.

NAYS—Messrs. Speaker, D. W. Anderson, Baldwin, Baskerville, Carter, Catlett, Crawford, Echols, Figgatt, Flood, Graves, J. S. Harris, Hay, Herbert, Huffman, Johnson, Kincheloe, William L. Moore, Ryan, Sanger, Saunders, Lyon G. Tyler, R. H. Tyler and Wright—24.

The SPEAKER declared the House adjourned until to-morrow at twelve o'clock M.

TUESDAY, JANUARY 24, 1888.

On motion of Mr. KINCHELOE, the reading of the *Journal* was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 23, 1888.

The Senate have passed House bills entitled an act to amend section 2 of an act entitled an act to amend and reduce into one act the several acts for opening and extending the navigation of Appomattox river, approved 21st December, 1795, No. 84; and an act to facilitate the transfer of shares in the Upper Appomattox company, and to provide for changing the same from real to personal estate, and to authorize the said company to mortgage its property and franchises, No. 83.

They have passed Senate bills entitled an act to allow William O. Yager, treasurer of Page county, Va., further time to distrain, levy for and collect certain taxes and levies for which he has accounted to the State and county, No. 9; an act to amend and re-enact an act entitled an act to prescribe a fence law for Newport News election precinct, in the county of Warwick, approved May 2, 1887, and to add an additional section thereto, No. 11; an act for the relief of John A. Roberts and John E. Roberts, of Charlotte county, No. 25; an act to extend the time to Edward Major, treasurer of Charles City county, for the collection of taxes and county levies in his hands, No. 28; an act extending the time of F. W. Payne, late treasurer of King George county, for the collection of certain taxes and levies, No. 41; an act for the relief of the sureties of D. B. Baldwin, late treasurer of Tazewell county, No. 50; an act to provide for the payment of fees due D. B. Bland and Maryus Jones for professional services rendered the board of the Chesapeake and its tributaries in protecting the oyster interest of the State, No. 57; an act to incorporate the Memorial asylum for infants in Fairfax county, No. 78; an act to provide for an improved form of general index to deed-books and other records in the chancery court of the city of Richmond, No. 86; an act to incorporate the Warwick Park transportation company, No. 111; an act to incorporate the Norfolk fuel and gas-light company, of Norfolk, Va., No. 131; an act to amend

and re-enact section 6 of chapter 100, Code of 1873, as amended by an act approved February 20, 1878, as amended and re-enacted by an act approved March 31, 1879, in relation to unlawful fishing, No. 140; an act to incorporate the trustees of the Mu. Sig. Ma. Ro. literary association of Chesterfield county, Va., No. 146; an act extending the time for the collection of certain taxes and levies to J. R. Rawlings, late treasurer of Brunswick county, No. 155; an act for the relief of J. R. Moss, administrator of W. A. Moss, late treasurer of the county of Buckingham, No. 161; an act for the protection of deer in the counties of Shenandoah and Frederick, No. 174; an act to authorize the trustees of Glade Spring Masonic hall to sell their property and reinvest the proceeds, No. 176; an act for the preservation of certain useful animals and fowls, and to prevent unlawful hunting in the county of Rockingham, No. 177; an act for the protection of deer in the counties of Page and Hanover, No. 178; an act to amend and re-enact sections 5 of chapter 9 of the charter of the city of Lynchburg, No. 185; an act authorizing Princess Anne county to issue bonds for the purpose of opening certain roads, No. 201; an act to authorize the city of Winchester to increase its bonded debt, No. 207; an act to incorporate the Norma iron railroad company, No. 231; an act to incorporate the Chester lumber and manufacturing company, No. 1; an act to extend the charter and franchises of the Southern improvement company, No. 52; an act for the relief of J. P. Street, of Dinwiddie county, from the payment of a fine, No. 124; an act to incorporate the Wytheville street railway company, No. 226; an act to authorize the board of supervisors of Alleghany county to borrow money to build bridges in said county, No. 114; an act to amend and re-enact sections 1, 2 and 3 of an act entitled an act to provide for the working and keeping in repair the public roads in the counties of Alleghany, Bath and Highland, approved February 22, 1884, and to amend and re-enact section 5 of the same act, approved February 12, 1886, and to add an independent section, No. 137; and an act to amend sections 2, 3 and 8 of an act passed March 14, 1853, entitled an act to establish Roanoke college, in the county of Roanoke, No. 159.

In which bills they respectfully request the concurrence of the House of Delegates.

Nos. 114, 131, 137, 159 and 207, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

No. 140. Senate bill, was read twice and referred to the committee on Chesapeake and its tributaries.

Nos. 231 and 111. Senate bills, were read twice and referred to the committee on roads and internal navigation.

Nos. 1, 52, 78, 146 and 226. Senate bills were read twice and referred to the committee on propositions and grievances.

Nos. 86 and 176. Senate bills, were read twice and referred to the committee for courts of justice.

Nos. 9, 25, 28, 41, 50, 57, 124, 155 and 161. Senate bills, were read twice and referred to the committee on finance.

Nos. 11, 174, 177, 178, 185 and 201. Senate bills, were read twice and referred to the committee on counties, cities and towns.

No. 188. House bill to permit tax-payers who, prior to the 5th day of December, 1887, have tendered coupons in payment of taxes, to make payment in money to county and city treasurers, reported from the committee on finance, was read a first time.

The following House bills, reported from the committee on asylums and prisons, were read a first time:

No. 189. House bill making an appropriation to the Eastern lunatic asylum for building purposes.

No. 190. House bill to prohibit any director or other officer of a lunatic asylum from being interested in certain contracts.

The following House bills, reported from the committee on agriculture and mining, were read a first time:

No. 191. House bill to further define the duties and enlarge the powers of the commissioner of agriculture.

No. 192. House bill for the protection of farmers against spurious and worthless fertilizers.

No. 193. House bill to incorporate the town of Blackstone, in Nottoway county, reported from the committee on counties, cities and towns, was read a first time.

Mr. TYLER of *Prince William*, under a suspension of the rule, presented

No. 194. House bill, declaring boundary lines legal fences in that portion of Manassas district, in Prince William county, lying north of Warrenton turnpike, which was read a first time.

A resolution of the committee on schools and colleges as follows (heretofore passed by):

Resolved by the House of Delegates (the Senate concurring), That a joint committee of two members of the Senate committee on public institutions, and three members of the House committee on schools and colleges, be chosen by said Senate and House committees, respectively, whose duty it shall be to visit the Virginia military institute and to investigate and ascertain the facts, and report upon all matters which may be brought to their attention in reference to the management, condition and needs of that institution, and to make such recommendations as they may deem proper; and the said committee may send for persons and papers, and may cause the testimony of any witnesses who may be produced before them to be taken down in writing, and the taking of any such testimony may be taken before the whole committee or a sub-committee thereof; and they may employ a stenographer.

—Was, on motion of Mr. ANDERSON of *Rockbridge*, amended by providing for three members of the Senate committee and five members of the House committee.

The resolution as amend was agreed to—yeas 46; nays 5.

On motion of Mr. FIGGATT, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Coleman, Corbett, Counts, Crawford, Daingerfield, Dickey, Dupuy, Elam, Evans, Figgatt, Gordon, Graves, J. S. Harris, Herring, Hunter, Jarratt, Johnson, Kincheloe, Magruder, Mayo, McClintic, McKee, A. Moore, Jr., Wm. L. Moore, Mustain, Perkins, Porter, Roane, Robinson, Scott, Sebrell, Silver, Smith, Starke, Lyon G. Tyler, R. H. Tyler, Waddill, Wilkins, Williams and Wright—46.

NAYS—Messrs. Carter, Curtis, Echols, Hay and Phillips—5.

Mr. HAY offered the following resolution:

Resolved (the Senate concurring), That when the General Assembly adjourn on Wednesday, February 15, 1888, it be to adjourn *sine die*.

The House refused to refer the resolution to a committee.

On motion of Mr. HAY, the resolution was passed by.

The following were presented and referred under Rule 37:

By Mr. STARKE: To provide for additional terms of the circuit courts for the city of Norfolk and the county of Norfolk, and authorizing the judge of said courts to enter decrees in chancery causes at Chambers, and for the payment of the salary of said judge. Referred to the committee for courts of justice.

By Mr. WRIGHT: A bill to amend and re-enact section 2500, chapter 111 of Code of 1887, in relation to the recordation of deeds. Referred to the committee for courts of justice.

By Mr. HERBERT: A bill to authorize the trustees of the Monumental Methodist Episcopal church, South, to issue coupon bonds. Referred to the committee for courts of justice.

By Mr. STARKE: A bill to refund taxes paid by certain tax-payers. Referred to the committee on finance.

By Mr. STARKE: A bill to exempt from taxation for twenty years from July 1st, 1886, the lease-hold land of the Young men's christian association, of Norfolk, upon certain conditions. Referred to the committee on finance.

By Mr. DUPUY: A bill to provide for the collection of delinquent taxes on real estate due to the town of Farmville for the years 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884 and 1885. Referred to the committee on finance.

By Mr. TYLER of *Richmond city:* A bill to appropriate $600 to repair the Washington monument. Referred to the committee on finance.

By Mr. TYLER of *Richmond city:* A bill to require the payment of interest accrued and hereafter to accrue upon the ten-forty bonds of the commonwealth for $5,000, held by the trustees of the Sisters of charity of St. Joseph's academy and orphan asylum of Richmond city. Referred to the committee on finance.

By Mr. CRISMOND: A bill to distribute and pay out certain moneys paid by the citizens of Virginia as direct taxes, under an act of Congress, approved August 5, 1861. Referred to the committee on federal relations and resolutions.

By Mr. GORDON: A bill to amend and re-enact section 3 of an act entitled an act to incorporate the Shenandoah Valley railroad, and to issue preferred stock or convertible under any plan of reorganization thereof, approved May 2, 1887. Referred to the committee on roads and internal navigation.

By Mr. WILKINS: Petition of the citizens of Northampton and Accomac protesting against the repeal of the fish law. Referred to the committee on Chesapeake and its tributaries.

By Mr. BUFORD: Petition asking the State authorities to convey to the city of Richmond so much of the capitol square on the south and east sides as may be necessary to make Bank and Twelfth streets sixty-six feet wide. Referred to the committee on public property.

By Mr. STARKE: A bill to amend and re-enact sections 2 and 3 of an act passed January 23, 1861, entitled an act amending and re-enacting the act entitled an act to incorporate the Jackson orphan asylum of Norfolk, passed February 26, 1856. Referred to the committee on propositions and grievances.

By Mr. CORBETT: A bill to amend and re-enact section 12, chapter 99, Code of 1873, entitled an act for the preservation of certain useful animals, and to prevent unlawful hunting. Referred to the committee on propositions and grievances.

By Mr. CURTIS: A bill to incorporate the Virginia building and loan company. Referred to the committee on propositions and grievances.

By Mr. WEBB: A bill to provide for making, changing and working roads in the county of Rockingham. Referred to the committee on counties, cities and towns.

By Mr. ROANE: A bill to amend and re-enact section 19 of chapter 97 of the Code of Virginia of 1873, in relation to fences and the protection of crops, etc. Referred to the committee on counties, cities and towns.

By Mr. ANDERSON: A bill to provide for the more efficient collection of road fines in the county of Fluvanna. Referred to the committee on counties, cities and towns.

The morning hour having expired, the House proceeded to the business on the calendar.

The following Senate bills were read a third time and *passed:*

No. 114. Senate bill entitled an act to authorize the board of supervisors of Alleghany county to borrow money to build bridges in said county.

No. 131. Senate bill entitled an act to incorporate the Norfolk fuel and gas-light company, of Norfolk, Va.

No. 137. Senate bill entitled an act to amend and re-enact sections 1, 2 and 3 of an act entitled an act to provide for the working and keeping in repair the public roads in the counties of Alleghany, Bath and Highland, approved February 22, 1884, and to amend and re-enact section 5 of same act, approved February 12, 1886, and to add an independent section.

No. 159. Senate bill entitled an act to amend sections 2, 3 and 8 of an act passed March 14, 1853, entitled an act to establish Roanoke college, in the county of Roanoke.

No. 207. Senate bill entitled an act to authorize the city of Winchester to increase its bonded debt.

Motions severally made to reconsider the votes by which Senate bills Nos. 131 and 207 were passed, were rejected.

A message was received from the Senate by Mr. Koiner, who informed the House that the Senate had passed House bill entitled an act to amend and re-enact section 33 of an act entitled an act to provide for the assessment of taxes, &c., approved March 6, 1886, in relation to the tax on peddlers, with amendments; in which they respectfully request the concurrence of the House.

The SPEAKER laid the bill before the House.

On motion of Mr. POLLARD, the calendar was postponed for five minutes.

The bill was placed on the calendar, the rule requiring its reference to a committee, having been suspended on motion of Mr. POLLARD.

The calendar being resumed, the amendments of the Senate, as follows:

Strike out all after the word "dollars" in 8th line, 33d section, down to and including "affixed" in 3d line on second page.

Strike out all after the word "selling" in last line, 33d section, and add the following: "Any commodity produced or manufactured by such person or for the privilege of selling or peddling farm products, wood or coal."

—Were agreed to.

Motions severally made by Mr. POLLARD to reconsider the votes by which the Senate amendments were agreed to, were rejected.

The hour of one o'clock P. M. having arrived, special order,

No. 129. House bill to establish a bureau of labor and the office of labor commissioner for the commonwealth of Virginia, and to define the duties of such commissioner, was read a second time.

Mr. TYLER of *Richmond city* offered an amendment in the nature of a substitute.

On motion of Mr. FIGGATT, the special order was postponed.

Special order,

No. 164. House bill to repeal sections 10 and 11 of chapter 86, Code of 1873, and the 41st section of chapter 86 of Code of 1873, as amended and re-enacted by an act entitled an act to amend and re-enact section 41 of chapter 86, Code of 1873, in relation to inspections, approved April 2, 1874, was read a second time and ordered to be engrossed to be read a third time.

Special order,

No. 166. House bill to repeal sections 1853, 1854 and 1884 of chapter 84 of an act entitled an act to revise, arrange and consoli-

date into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the inspection of flour and fish, was read a second time and ordered to be engrossed to be read a third time.

On motion of Mr. POLLARD, the House adjourned until to-morrow at twelve o'clock M.

WEDNESDAY, JANUARY 25, 1888.

On motion of Mr. WEBB, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 24, 1888.

The Senate have passed Senate bills entitled an act making an appropriation for furnishing the new addition to the Central lunatic asylum, and for the support of additional inmates and paying of arrearages, No. 128; and an act to amend and re-enact sections 1, 2, 5, 7, 9, 16, 17, 20 and 21 of an act entitled an act to provide a new charter for the town of Charlottesville, approved March 28, 1871, and the act amending section 1 thereof, approved March 28, 1873, the act amending section 2, approved February 23, 1875, and the acts amending sections 4 and 17, approved April 28, 1874, and February 23, 1875, respectively, No. 126; in which bills they respectfully request the concurrence of the House of Delegates.

No. 128. Senate bill, was read twice and referred to the committee on finance.

No. 126. Senate bill, was read twice and referred to the committee on counties, cities and towns.

The following Senate bills were reported from the committee on propositions and grievances:

No. 1. Senate bill to incorporate the Chester lumber and manufacturing company.

No. 78. Senate bill to incorporate the Memorial asylum for infants in Fairfax county (with an amendment).

No. 71. Senate bill to incorporate the Mount Vernon avenue association (with amendments).

No. 116. Senate bill to incorporate the Manchester manufacturing company.

No. 116. House bill entitled an act to authorize the Radford land and improvement company to erect a dam across New river, with Senate amendment, was reported from the committee on counties, cities and towns.

No. 90. House bill to amend and re-enact section 1 of an act entitled an act to prohibit the use of pound nets and purse nets in the

waters of James and Chickahominy rivers below tidewater, approved May 16, 1887, heretofore recommitted to the committee on Chesapeake and its tributaries, was reported back.

The following House bills, reported from the committee on privileges and elections, were read a first time:

No. 195. House bill to amend section 1 of an act entitled an act to provide for a new registration of voters at Stock Yards precinct, in the county of Roanoke, approved May 18, 1887.

No. 196. House bill to amend and re-enact section 3853 of chapter 188 of the Code of 1887, in relation to election laws (with a recommendation that it do not pass).

The following House bills, reported from the committee on Chesapeake and its tributaries, were read a first time:

No. 197. House bill to amend and re-enact section 15 of an act entitled an act for the preservation of oysters, and to obtain revenue therefrom for the privilege of taking them in the waters of the commonwealth, approved March 4, 1884.

No. 198. House bill to prohibit fishing in the waters of the north fork of Holstein river by seines and traps, or by poisoning or by killing with dynamite.

No. 140. Senate bill to amend and re-enact section 6 of chapter 100, Code of 1873, as amended by an act approved February 20, 1878, as amended and re-enacted by an act approved March 31, 1879, in relation to unlawful fishing.

No. 199. House bill, a resolution concerning the appointment of a State police by the governor, reported from the committee on officers and offices at the capitol (with a recommendation that it do not pass), was read a first time.

The following report was agreed to:

The committee on the Chesapeake and its tributaries respectfully report that they have had under consideration the several petitions referred to them by the House in relation to the amendment of the existing law relating to the subject of fishing with pound nets in the waters of the Chesapeake bay, contiguous to the shores of Accomac and Northampton counties, and after patient and full investigation, they have arrived at the conclusion that it would be inexpedient to make any change in the law as it now stands. They submit the following resolution, and recommend its adoption by the House:

Resolved, That it is inexpedient to legislate upon the subject, and that the committee be discharged from its further consideration.

Respectfully submitted,

L. D. STARKE,
Chairman of Committee.

No. 200. House bill to amend and re-enact section 1 of an act approved March 10, 1884, entitled an act to amend and re-enact section 1 of an act approved April 14, 1882, entitled an act to amend and re-enact an act passed March 3, 1880, entitled an act to amend and re-

enact an act passed April 2, 1879, authorizing the board of supervisors to determine what amount shall be paid to certain county officers, reported from the committee on counties, cities and towns (with a recommendation that it do not pass), was read a first time.

The following House bills, reported from the committee on schools and colleges, were read a first time:

No. 201. House bill to provide for the purchase of certain property and additional improvements for the State female normal school, and to make appropriations therefor.

No. 202. House bill authorizing the surviving trustees of Union academy of Appomattox county to fill vacancies.

No. 203. House bill to authorize the board of supervisors of any county to compensate school trustees (with a recommendation that it do not pass.)

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 204. House bill to incorporate the Fidelity safe deposit and trust company of Norfolk.

No. 205. House bill to incorporate the Cohoke association.

No. 206. House bill to incorporate the Blacksburg telegraph and telephone company in the county of Montgomery.

No. 207. House bill to incorporate the Young men's christian association of Portsmouth, Va.

No. 208. House bill to incorporate the South View orphan home.

No. 209. House bill to incorporate the Intermont land and improvement company.

The SPEAKER laid before the House a communication from the auditor of public accounts in response to a resolution of the House in regard to the pay and mileage of judges of circuit courts for the years 1886 and 1887; which was, on motion of Mr. LOVING, ordered to be printed.

Mr. CURTIS, under a suspension of the rule, offered the following resolution:

Resolved, That the register of the land office be requested to report to this House whether the person now in charge of the engine and heating apparatus of the building is an engineer and has a license as such.

Mr. FRANKLIN moved to amend the resolution by striking out the words, "Is an engineer and has license as such," and inserting, "Is competent to attend to the duties of the position"; which was rejected.

On motion of Mr. MAYO, the resolution was amended by striking out, "Is an engineer and has license as such," and inserting, "Is an experienced engineer."

The resolution as amended was agreed to.

The resolution offered by Mr. HAY as follows:

Resolved (the Senate concurring), That when the General Assembly adjourn on Wednesday, February 15, 1888, it be to adjourn *sine die*. —Was, on motion of Mr. FIGGATT, laid on the table.

The following were presented and referred under Rule 37:

By Mr. WADDILL: A bill to refund to Fred. C. Curtis and Franklin Guy the amount of certain taxes improperly paid by them. Referred to the committee on finance.

By Mr. PORTER: A bill for the relief of J. Winston Repass, treasurer of Wythe county. Referred to the committee on finance.

By Mr. TERRELL: A bill allowing Charles P. Latham, judge of the corporation court of Lynchburg, compensation for holding a term of the hustings court of the city of Richmond pending the disability of the judge of said court. Referred to the committee on finance.

By Mr. ANDERSON of *Rockbridge:* A bill to refund to R. C. Tyree certain taxes erroneously paid by him. Referred to the committee on finance.

By Mr. ELAM: A bill to provide for the identification of commercial travellers, &c., from other States, and for their exemption from license taxes, &c., for doing business in this State. Referred to the committee on finance.

By Mr. CRISMOND: A bill for working and keeping in repair the roads in Spotsylvania county. Referred to the committee on counties, cities and towns.

By Mr. HUNTER: A bill to amend and re-enact section 614 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887. Referred to the committee on counties, cities and towns.

By Mr. ECHOLS: A bill to amend and re-enact the charter of the town of Waynesboro', as approved April 28, 1874, and amended March 15, 1875. Referred to the committee on counties, cities and towns.

By Mr. MUSTAIN: A bill to work and keep in order the public roads in the county of Pittsylvania. Referred to the committee on counties, cities and towns.

By Mr. TERRELL: A bill to incorporate the Lynchburg cotton-mill and improvement company. Referred to the committee on roads and internal navigation.

By Mr. STARKE: A bill to incorporate the Elizabeth river navigation company. Referred to the committee on roads and internal navigation.

By Mr. POLLARD: Communication of James H. Allen, county superintendent of schools for James City county, proposing amendments to the school laws. Referred to the committee on schools and colleges.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 188. House bill to permit tax-payers who, prior to the 5th day of December, 1887, have tendered coupons in payment of taxes, to make payment in money to county and city treasurers, &c., was, on motion of Mr. RYAN, taken up out of its order on the calendar.

On motion of Mr. RYAN, the bill was postponed and made a special continuing order for Thursday next at forty-five minutes past twelve o'clock P. M.

No. 199. House joint resolution concerning the appointment of a State police by the governor, was, on motion of Mr. LOVING, taken up out of its order on the calendar.

On motion of Mr. LOVING, the bill was recommitted to the committee on officers and offices at the capitol.

On motion of Mr. DUPUY, the House proceeded to the consideration of House bills on their second reading.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 23. House bill to incorporate the Star of Bethlehem order of Gallilean fisherman.

No. 45. House bill to incorporate the Virginia and Pennsylvania iron and coal company.

No. 65. House bill to provide for the payment of justices of the peace, witnesses and physicians in certain cases, came up.

The motion made by Mr. SCOTT to reconsider the vote by which the amendment proposed by the committee for courts of justice, was agreed to.

The question recurring on agreeing to the amendment proposed by the committee for courts of justice,

Mr. POLLARD moved to amend the amendment proposed by the committee for courts of justice by striking out "five dollars," and inserting "two dollars and fifty cents"; which was agreed to.

Pending the further consideration of the bill,

The hour of one o'clock P. M. having arrived, special order,

No. 129. House bill to establish a bureau of labor and the office of labor commissioner for the commonwealth of Virginia, and to define the duties of such commissioner, came up.

On motion of Mr. CARTER, the special order was postponed for ten minutes.

Special order,

No. 164. House engrossed bill to repeal sections 10 and 11 of chapter 86, Code of 1873, and the 41st section of chapter 86, Code of 1873, as amended and re-enacted by an act entitled an act to amend and re-enact section 41 of chapter 86, Code of 1873, in relation to inspections, approved April 2, 1874, was read a third time and passed—yeas 61; nays 16.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Ash, Baldwin, Baskerville, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Counts, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Edmondson, Edwards, Evans, Flood, Graves, A. W. Harris, Herbert, Huffman, Hunter, Jarratt, Jones, Johnson, Martin, Mayo, McClintic, McKee, A. Moore, Jr., J. E. Moore, William L. Moore, Morton, Mustain, Pendigo, Phillips, Pollard, Porter, Quesenberry, J. Roberts, Robinson, Ryan, Sanger, Saunders, Scott, Sebrell, Silver, Smith, Starke, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Webb and Young—61.

NAYS—Messrs. Arnold, Corbett, Crawford, Echols, Elam, Gordon, J. S. Harris, Herring, Hobson, Kincheloe, Loving, Magruder, McCandlish, Perkins, West and Williams—16.

Mr. MARTIN moved to reconsider the vote by which the bill was passed; which motion was rejected.

Special order,

No. 166. House engrossed bill to repeal sections 1853, 1854 and 1884 of chapter 84 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the inspection of flour and fish, was read a third time and passed.

Mr. BUFORD moved to reconsider the vote by which the bill was passed; which motion was rejected.

Special order, No. 129, again came up.

The question being on agreeing to the substitute offered by Mr. TYLER of *Richmond city*,

Mr. PEDIGO moved to dismiss the bill.

On motion of Mr. ROANE, the House adjourned until to-morrow at twelve o'clock M.

THURSDAY, JANUARY 26, 1888.

On motion of Mr. MAGRUDER, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 25, 1888.

The Senate have passed House bills entitled an act to incorporate the Galilean fishermen relief association of the commonwealth of Virginia, No. 37; an act to amend and re-enact an act entitled an act to incorporate the Rappahannock Valley agricultural and mechanical society, of Fredericksburg, No. 47; and an act to authorize the county school board of Northumberland county to use a portion of the county school fund for the erection of school-houses in Lottsburg school district, No. 74.

And they have passed Senate bill entitled an act for the relief of Henry Mahaney, No. 180.

In which bill they respectfully request the concurrence of the House of Delegates.

No. 180. Senate bill, was read twice and referred to the committee on finance.

No. 80. House engrossed bill for the relief of Joseph Viars, of the county of Dickenson, from a fine imposed by the county court of said county, heretofore recommitted to the committee on finance, was reported back with a recommendation that it do not pass.

No. 57. Senate bill entitled an act to provide for the payment of fees due B. F. Bland and Maryus Jones for professional services rendered the board of the Chesapeake and its tributaries in protecting the oyster interests of the State, reported from the committee on finance.

The following Senate bills were reported from the committee for courts of justice:

No. 176. An act to authorize the trustees of Glade Spring Masonic hall to sell their property and re-invest the proceeds (with a recommendation that it do not pass).

No. 82. An act to authorize the trustees of the Presbyterian church at Roanoke city to borrow money and secure by deed of trust (with a recommendation that it do not pass).

The following House bills and joint resolution, reported from the committee for courts of justice, were read a first time:

No. 210. House bill to provide a police court for the city of Richmond and for the election of a police justice for said city, to define the jurisdiction of said police court, and to amend and re-enact section 105 of the charter of the city of Richmond.

No. 211. House bill requiring that all applicants interested in an appeal or suit of error shall contribute to the costs (with a recommendation that it do not pass).

No. 212. House resolution proposing an amendment to the 1st section of the 7th article of the Constitution of Virginia, concerning county organizations, and for publishing said amendment, and for certifying the same to the next General Assembly.

No. 213. House bill to empower the judge of the county court of Augusta county to appoint one or more policemen for the various magisterial districts of said county.

No. 214. House bill to amend and re-enact section 3657 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

No. 215. House bill to amend and re-enact section 907 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

No. 216. House bill to regulate and provide for the furnishing of supplies and the hire of convicts confined in the penal institutions of the State by contract and other public institutions of the State, reported from the committee on asylums and prisons, was read a first time.

No. 217. House bill to amend and re-enact section 1101, chapter 46 of Code of 1887, authorizing internal improvement companies to take wood, stone, gravel, earth or water from convenient lands, reported from the committee on roads and internal navigation, was read a first time.

Mr. STARKE, under a suspension of the rules, presented

No. 218. House bill to provide for a reassessment of the lands in Brambleton ward, in the city of Norfolk, which was read a first time.

Mr. SAUNDERS offered the following resolution:

Resolved (the Senate concurring), That no bill or joint resolution, originating in either House, shall be printed until it has either been reported by a committee, or placed upon the calendar by authority of each House, in accordance with its rules, or ordered to be printed by either House. All bills or joint resolutions reported from committees shall be printed in the phraseology determined on by the committee—that is to say all bills and joint resolutions which have been referred to committees, and acted on by them, shall be considered as the bills of the committee, and any amendments made by them shall be printed along with such bills or joint resolutions.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. SAUNDERS moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. SAUNDERS carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Heaton, who informed the House that the Senate had disagreed to the resolution.

The SPEAKER laid before the House a communication from the register of the land office in response to a resolution of the House in regard to the experience of the person in charge of the engine and heating apparatus of the capitol as an engineer; which was referred to the committee on officers and offices at the capitol.

Mr. MOORE of *Clarke and Warren* offered the following resolution:

Resolved, That a committee to consist of five members of the House be appointed by the SPEAKER to take into consideration the subject of equalization in the assessment of the land in the commonwealth for taxation, such committee to report by bill or otherwise.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

The SPEAKER appointed Messrs. MOORE of *Clarke and Warren*, POLLARD, CATLETT, GORDON and MOORE of *Pulaski and Giles*.

The following were presented and referred under Rule 37:

By Mr. POLLARD: A bill to amend and re-enact section 1 of an act entitled an act to provide for the assessment of real estate in this State in the year 1885, and every fifth year thereafter, approved November 27th, 1884. Referred to the committee on finance.

By Mr. TERRELL: A bill to authorize the auditor of public accounts to re-issue to J. S. French a warrant heretofore issued to W. W. French and returned to the auditor. Referred to the committee on finance.

By Mr. CRISMOND: A bill extending the time to Thomas Waller, late treasurer of Stafford county, for the collection and setttlement of certain taxes and levies. Referred to the committee on finance.

By Mr. JARRATT: A bill for the relief of Morris Levy & Co. Referred to the committee on finance.

By Mr. BUFORD: A bill to amend and re-enact section 1075 of the Code of 1887, in relation to the acquisition of lands by incorporated companies. Referred to the committee for courts of justice.

By Mr. WILKINS: A bill to provide for the appointment of a special constable to execute process, civil and criminal, in the county of Accomac. Referred to the committee for courts of justice.

By Mr. ECHOLS: A bill to amend and re-enact section 14 of chapter 13 of the Code of 1873, in relation to the pay of judges of the city of Richmond. Referred to the committee for courts of justice.

By Mr. FIGGATT: A bill to empower the circuit court of Montgomery to hear and determine whether Robert Latiner should be exhonorated from an erroneous assessment. Referred to the committee for courts of justice.

By Mr. FLOOD: Resolution to ascertain the obligation of the Richmond and Alleghany railroad company to rebuild certain bridges.

Whereas, by the charter of the James River and Kanawha canal company and contracts between said company and certain counties along the line of said canal, the said company obligated itself to build bridges across James river at certain points; and

Whereas certain bridges built by said company have been destroyed; and

Whereas all the rights, privileges and obligations of said company have been transferred to the Richmond and Alleghany railroad company, which company is willing to rebuild said bridges if its obligations to do so is legally ascertained: therefore, be it

Resolved by the House of Delegates, That the committee for courts of justice be instructed to inquire into said obligation and report to this House by bill or otherwise.

By Mr. JARRATT: A bill to require the county judge of Greenville county to submit the question continuing or repealing the fence law to the qualified voters of Belfield magisterial district in said county, upon certain conditions. Referred to the committee on counties, cities and towns.

By Mr. SAUNDERS: A bill to amend and re-enact the following acts: An act to incorporate the town of Rocky Mount, approved February 17, 1873; an act to amend the act of February 17, 1873, approved April 28, 1874, and an act amending and re-enacting section 2 of the act approved April 28, 1874, approved March 4, 1884. Referred to the committee on counties, cities and towns.

By Mr. MCKEE: A bill to provide the manner in which aid shall be extended to the poor of the several magisterial districts of Rockbridge county, who are not supported in the county poor house. Referred to the committee on counties, cities and towns.

By Mr. ELAM: A bill to incorporate the Green Springs Tramway company. Referred to the committee on roads and internal navigation.

By Mr. EWELL: A bill to allow Mrs. Mary J. Young to erect a wharf, platform, shed and other necessary buildings for conducting

the business at Franklin city, Accomac county, Va., adjoining her land. Referred to the committee on Chesapeake and its tributaries.

By Mr. POLLARD: Petition of one hundred and sixty citizens of Lancaster asking for repeal of law prohibiting fishing with purse nets in the Rappahannock river. Referred to the committee on Chesapeake and its tributaries.

By Mr. FIGGATT: A bill to allow the district school board of Buchanan district, Botetourt county, to purchase Blue Ridge hall and for conveyance of same. Referred to the committee on schools and colleges.

By Mr. MOORE of *Clarke:* Resolution of the Farmers' assembly in relation to the equalization of taxation, was referred to the special committee appointed by the House.

A message was received from the Senate by Mr. Harrison, who informed the House that the Senate had passed House bill entitled an act to provide for the deposit of State funds in certain cases, No. 79.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate had passed House bill entitled an act to repeal sections 10 and 11 of chapter 86, Code of 1873, and the 41st section of chapter 86, Code of 1873, as amended and re-enacted by an act entitled an act to amend and re-enact section 41 of chapter 86, Code of 1873, in relation to inspections, approved April 2, 1874, No. 164.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 116. House bill entitled an act to authorize the Radford land and improvement company to erect a dam across New river, came up.

The amendment of the Senate was agreed to.

Mr. LOVING moved to reconsider the vote by which the amendment of the Senate was agreed to; which motion was rejected.

The following Senate bills were read a third time and passed:

No. 1. Senate bill entitled an act to incorporate the Chester lumber and manufacturing company.

No. 116. Senate bill entitled an act to incorporate the Manchester manufacturing company.

No. 71. Senate bill entitled an act to incorporate the Mount Vernon avenue association, came up.

The amendments proposed by the committee on propositions and grievances are as follows:

Section 6, line 1, after the word "authorized" insert the words, "By subscribing to the capital stock."

Section 7, line 2, after the word "authorized" insert, "By subscribing to the capital stock."

The bill was ordered to its third reading.

No. 78. Senate bill entitled an act to incorporate the Memorial asylum for infants in Fairfax county, came up.

The amendment proposed by the committee on propositions and grievances is as follows:

Add at end of section 2 the following: "The whole amount of property held not to exceed one hundred thousand dollars."

The bill was ordered to its third reading.

No. 140. Senate bill entitled an act to amend and re-enact section 6 of chapter 100, Code 1873, as amended by an act approved February 20, 1878, as amended and re-enacted by an act approved March 31, 1879, in relation to unlawful fishing, came up.

Mr. POLLARD moved to amend the bill by striking out in the 8th and 9th lines the words, "And Rappahannock rivers," and insert the words, "River and purse nets and pound nets in Rappahannock river."

Mr. TREAT moved to amend the bill by adding the following: "Provided that no pound net shall be placed in York river"; which was rejected.

Mr. TREAT moved to recommit the bill; which motion was rejected.

The bill was ordered to its third reading.

The hour of forty-five minutes past twelve o'clock P. M. having arrived, special order,

No. 188. House bill to permit tax-payers who, prior to the 5th day of December, 1887, have tendered coupons in payment of taxes, to make payment in money to county and city treasurers, &c., was read a second time.

On motions severally made by Mr. RYAN, the bill was amended as follows:

Fourth line, 1st section, after the word "and" insert, "Has been or."

Thirteenth line, 1st section, strike out the words, "Shall be sent promptly by the tax-payers," and insert, "Shall be filed with the clerk of the court in which such proceedings are required by law to be had, and thereafter suit shall not be instituted for such taxes, or if instituted shall not be further prosecuted. The clerk of the court in which such receipt is filed shall forthwith forward a copy thereof."

Nineteenth line, 1st section, strike out "A commission of five per centum," and insert, "The commission allowed by law."

Second section, strike out all in the 1st, 2d, 3d and 4th lines and the words, "And eighty-seven."

Second section, 6th line, strike out the word "he" and insert the words, "The party making payment as hereinbefore provided."

Strike out the 3d section.

The bill, as amended, was ordered to be engrossed to be read a third time.

The hour of one o'clock P. M. having arrived, special order,

No. 129. House bill to establish a bureau of labor and the office of labor commissioner for the commonwealth of Virginia, and to define the duties of such commissioner, came up.

Mr. BUFORD moved to recommit the bill; which motion was rejected.

The substitute offered by Mr. TYLER of *Richmond city* was rejected.

The motion by Mr. PEDIGO to dismiss the bill, was rejected—yeas 32; nays 47.

On motion of Mr. WRIGHT, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Ash, Baldwin, Catlett, Counts, Crawford, Dupuy, Edmondson, Ewell, Flood, A. W. Harris, J. S. Harris, Hunter, Leggett, Loving, Magruder, A. Moore, Jr., Mustain, Pedigo, Pilcher Quesenberry, J. Roberts, Sebrell, Silver, Smith, Terrell, Tinsley, R. H. Tyler, West, Wilkins, Wright and Young—32.

NAYS—Messrs. Speaker, W. A. Anderson, Arnold, Barbour, Baskerville, Goodman Brown, John A. Browne, Buford, Carter, Coleman, Corbett, Crismond, Curtis, Dabney, Echols, Edwards, Elam, Evans, Figgatt, Graves, Herring, Hobson, Jarratt, Jones, Johnson, Kincheloe, Martin, Mayo, McCandlish, McKee, J. E. Moore, Morton, Perkins, Phillips, Riner, Roane, Robinson, Sanger, Saunders, Scott, Spencer, Starke, Treat, Lyon G. Tyler, Waddill, Webb and Williams —47.

Mr. CARDWELL moved to reconsider the vote by which the House refused to recommit the bill; which motion was rejected.

The question being on ordering the bill to be engrossed to be read a third time was put and decided in the negative—yeas 40; nays 42.

On motion of Mr. CARDWELL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Arnold, Barbour, Baskerville, Goodman Brown, John A. Browne, Carter, Coleman, Corbett, Curtis, Daingerfield, Echols, Edwards, Elam, Evans, Herring, Hunter, Jarratt, Jones, Johnson, Martin, Mayo, McCandlish, McKee, J. E. Moore, Wm. L. Moore, Perkins, Phillips, Porter, Roane, Robinson, Sanger, Saunders, Scott, Spencer, Terrell, Treat, Lyon G. Tyler, Waddill and Webb—40.

NAYS—Messrs. D. W. Anderson, W. A. Anderson, Ash, Baldwin, Buford, Catlett, Counts, Crawford, Dabney, Dupuy, Edmondson, Figgatt, Flood, Graves, A. W. Harris, J. S. Harris, Hobson, Huffman, Kincheloe, Leggett, Loving, Magruder, A. Moore, Jr., Morton, Mustain, Pedigo, Pilcher, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Smith, Starke, Tinsley, R. H. Tyler, West, Wilkins, Williams, Wright and Young—42.

Mr. FIGGATT moved to reconsider the vote by which the House refused to order the bill to be engrossed.

On motion of Mr. CARDWELL, the motion to reconsider was passed by.

On motion of Mr. SILVER, the House adjourned until to-morrow at twelve o'clock M.

FRIDAY, JANUARY 27, 1888.

On motion of Mr. CATLETT, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 26, 1888.

The Senate have passed House bills entitled an act to authorize the county of Madison to subscribe to the stock of the Madison Courthouse and Orange railroad on certain conditions, No. 87; an act to amend and re-enact an act entitled an act to incorporate the Madson Courthouse and Orange railroad company, approved February 18, 1886, No. 88; an act to allow George R. Dalby and Labon J. Belote to erect a wharf on Nassawodux creek, in Northampton county, No. 7; an act to amend and re-enact section 12 of an act entitled an act for working and repairing the public roads of Grayson and Patrick counties, approved May 23, 1887, No. 14; an act to incorporate the Abingdon railway company, No. 31; an act to authorize the board of supervisors of Charlotte county to issue bonds for the purchase of a farm for the reception of the poor of said county, No. 32; an act to incorporate the Christian multitude of Norfolk county, No. 48; an act to amend and re-enact an act to amend and re-enact section 1 of an act entitled an act to confirm a law passed by the Legislature of North Carolina, entitled an act to incorporate the Elizabeth City and Norfolk railroad company (now the Norfolk Southern railroad company), ratified the 20th day of January, 1870, and an act supplemental thereto, ratified the 24th day of January, 1872, and approved on the 23d day of February, 1875, approved on the 3d day of March, 1882, No. 34; an act appropriating money to pay for publishing the 82d, 83d and 84th volumes of Virginia Reports, No. 39; an act to prevent the pollution of drinking water in this State, No. 43; an act to incorporate the N and Cape Henry railroad and hotel company, No. 51; an act to ; power the auditor to issue a duplicate of warrant No. 8,786, No. 60; an act to incorporate the Virginia mining and manufacturing company, No. 70; an act to amend and re-enact section 3 of an act approved February 18, 1886, entitled an act for the better protection of game in Henry county, No. 72; and an act to authorize the county school board of Richmond county to appropriate one hundred dollars of the county school fund to the erection of a school-house in Stonewall school district of said county, No. 75.

They have passed, with amendments, House bills entitled an act to incorporate the Berkley street railway company, No. 50; and an act for the protection of game in the county of Pittsylvania, No. 71.

They have agreed to House joint resolution instructing our senators and requesting our representatives in Congress to urge and vote

for an appropriation for the purpose of establishing suitable works in Virginia for the manufacture of sugar from sorghum, and also for a school where the process can be taught, No. 77.

They have rejected House bill entitled an act to provide additional compensation for N. W. Bowe for services rendered to the commonwealth of Virginia, No. 62.

They have passed Senate bills entitled an act for the relief of Charles W. Walker, late treasurer of Giles county, and his sureties, No. 132; an act to provide compensation to R. Theo. Powell for the prosecution of H. R. Puryear, No. 109; and an act to amend sections 16, 21, 23, 26 and 28 of the charter of Suffolk, No. 224.

In which amendments and bills they respectfully request the concurrence of the House of Delegates.

No. 50. House bill, with Senate amendment, was placed on the calendar, the rule having been suspended on motion of Mr. STARKE, requiring its reference to a committee.

No. 71. House bill, with Senate amendment, was referred to the committee on propositions and grievances.

Nos. 109 and 132. Senate bills, were read twice and referred to the committee on finance.

No. 224. Senate bill, was read twice and referred to the committee on counties, cities and towns.

No. 219. House bill to incorporate the Suburban and Exposition railway company, reported from the committee on roads and internal navigation, was read a first time.

No. 220. House bill to amend the following acts: An act to incorporate the town of Rocky Mount, approved February 17th, 1873; an act to amend the act of February 17th, 1873, approved April 28th, 1874, and an act amending and re-enacting section 2 of the act approved April 28th, 1874, approved March 4th, 1884, reported from the committee on counties, cities and towns, was read a first time.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 221. House bill to secure to clerks, agents, workmen, servants and employees a lien upon the property of the person, firm or corporation for whom they work.

No. 222. House bill to authorize the board of supervisors of the county of Isle of Wight to increase the salary of the county judge to six hundred dollars (with a recommendation that it do not pass).

No. 223. House bill to regulate clerks' fees in certain cases.

No. 224. House bill to provide for the appointment of a special constable to execute process, civil and criminal, in the county of Accomac (with a recommendation that it do not pass).

No. 225. House bill to amend and re-enact sections 2475 and 2477 of chapter 110 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the lien of vendors, mechanics and others.

Mr. TYLER of *Prince William*, under a suspension of the rules, presented

No. 226. House bill to submit the question of increasing the levy for district school purposes, including lengthening of school term, to the qualified voters of Occoquan district, of Prince William county, which was read a first time.

Mr. WADDILL, under a suspension of the rules, presented

No. 227. House bill to incorporate the society of the Honorable knights of Jonathan of the State of Virginia, which was read a first time.

Mr. EDMONDSON, under a suspension of the rules, presented

No. 228. House joint resolution authorizing the governor to hire convicts to the Abingdon coal and iron railroad company, which was read a first time.

Mr. SAUNDERS offered the following resolution:

Resolved, That the House will proceed to the consideration of bills on their second reading, and in considering such bills, it is hereby understood and agreed that any such bill that will evoke the slightest discussion shall be passed by.

—Which was agreed to.

The following were presented and referred under Rule 37:

By Mr. WATKINS: A bill to repeal section 1168, chapter 48, Code 1887, fixing a limitation on banking associations in discounting accommodation paper to one-tenth part of the capital stock of such association actually paid in. Referred to the committee on banks, currency and commerce.

By Mr. TREAT: Joint resolution in regard to the mileage of judges of circuit courts. Referred to the committee for courts of justice.

By Mr. COUNTS: A bill to authorize county subscriptions to the capital stock of the Charleston, Cincinnati and Chicago railroad company. Referred to the committee on counties, cities and towns.

By Mr. ROBINSON: A bill to authorize the qualified voters of Warwick county to vote upon the question of the removal of the court-house of said county. Referred to the committee on counties, cities and towns.

By Mr. LEGGETT: A bill to incorporate the Princess Anne county railway company. Referred to the committee on roads and internal navigation.

By Mr. STARKE: A bill to incorporate the Greenleaf Johnson lumber company. Referred to the committee on roads and internal navigation.

By Mr. HUFFMAN: A bill to incorporate the New River Plateau railway company. Referred to the committee on roads and internal navigation.

By Mr. SILVER: A bill to incorporate the Middletown and Capon Springs turnpike company. Referred to the committee on roads and internal navigation.

By Mr. ANDERSON of *Fluvanna:* A bill to pay teachers in the public schools of Virginia without requiring average attendance of pupils. Referred to the committee on schools and colleges.

By Mr. WATKINS: A bill to allow J. H. Franklin, W. P. Carter, J. S. Price, W. T. Croxton and P. B. Snyder, deputy collectors for A. R. Green, treasurer of Halifax county, six months to collect any uncollected tax-tickets in their hands and not returned delinquent for 1882, 1883, 1884, 1885 and 1886. Referred to the committee on finance.

By Mr. ROBERTS of *Smyth county:* A bill to allow Chas. M. Shannon, James V. Richardson and N. J. Nelson, deputies for Jno. W. Richardson, treasurer of Smyth county, to amend and add to their respective returns of delinquent taxes for years 1881, 1882, 1883 and 1884. Referred to the committee on finance.

The hour of forty-five minutes past twelve o'clock P. M. having arrived, special order,

No. 188. House engrossed bill to permit tax-payers who, prior to the 5th day of December, 1887, have tendered coupons in payment of taxes to make payment in money to county and city treasurers, &c., came up.

The bill was read a third time and passed—yeas 81; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herring, Hobson, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Martin, Mayo, McCandlish, McClintic, McNeil, Wm. L. Moore, Morton, Mustain, Pedigo, Perkins, Phillips, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins, Williams, Wright and Young—81.

NAYS—Mr. Echols—1.

Mr. RYAN moved to reconsider the vote by which the bill was passed; which motion was rejected.

The hour of one o'clock P. M. having arrived, special order,

No. 129. House bill to establish a bureau of labor and the office of labor commissioner for the commonwealth of Virginia, and to define the duties of such commissioner.

The motion made by Mr. FIGGATT to reconsider the vote by which the House refused to order the bill to be engrossed, was agreed to—yeas 60; nays 10.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Barbour, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett,

Counts, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Figgatt, Flood, Graves, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, McCandlish, McClintic, William L. Moore, Morton, Perkins, Phillips, Pilcher, Riner, Roane, E. L. Roberts, Robinson, Sanger, Saunders, Scott, Simpson, Starke, Treat, Lyon G. Tyler, Waddill, Watkins, Webb, West, Wilkins and Williams—60.

NAYS—Messrs. Baldwin, Crawford. J. S. Harris, Pedigo, J. Roberts, Ryan, Sebrell, R. H. Tyler, Wright and Young—10.

Mr. MARTIN stated that he would have voted in the affirmative, but was paired with Mr. MAGRUDER.

The question recurring on ordering the bill to be engrossed.

Mr. FIGGATT offered an amendment in the nature of a substitute.

Pending which,

On motion of Mr. BUFORD, the bill was recommitted to the committee on manufactures and mechanic arts—yeas 46; nays 35.

On motion of Mr. HUFFMAN, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Edmondson, Edwards, Ewell, Figgatt, Flood, Graves, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Morton, Pedigo, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—46.

NAYS—Messrs. Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Daingerfield, Dickey, Echols, Elam, A. W. Harris, J. S. Harris, Herring, Jarratt, Jones, Mayo, McCandlish, McClintic, Wm. L. Moore, Mustain, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Treat, Waddill, Webb and Young—35.

Mr. MARTIN stated that he would have voted in the negative but was paired with Mr. MAGRUDER.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 61. House bill to extend the time of settlement of P. D. Divers, late treasurer of Franklin county, with the supervisors of his county.

No. 101. House bill for working and repairing the public roads in Nottoway county.

No. 117. House bill to amend and re-enact an act approved January 16, 1886, entitled an act to allow Wm. H. Ellis to erect a wharf at Franklin city, Accomac county.

No. 118. House bill to amend and re-enact sections 6 and 10, chapter 233, Acts of Assembly 1883 and 1884, entitled an act incorporating the Farmville and Powhatan railroad company.

No. 119. House bill to incorporate the North Amherst railroad company.

No. 65. House bill to provide for the payment of justices of the peace, witnesses and physicians in certain cases, came up.

Mr. WADDILL moved to amend the bill by inserting after "act" in the 11th line the words, "And no physician shall be required to attend before such commission in answer to the said summons, unless he desires so to do;" which was rejected.

The bill was ordered to be engrossed to be read a third time.

The bill being presently engrossed, Mr. CARDWELL moved that the bill be read a second time this day; which was agreed to, two-thirds in the House so determining.

The bill was read a third time and passed—yeas 74; nays 4.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Baldwin, Barbour, Baskerville, Bristow, John A. Brown, Buford, Carter, Coleman, Corbett, Counts, Crawford, Crismond, Dabney, Daingerfield, Dickey, Dupuy, Edmondson, Edwards, Elam, Ewell, Figgatt, Gordon, Graves, A. W. Harris, J. S. Harris, Herring, Hobson, Hunter, Jones, Johnson, Kincheloe, Leggett, Martin, Mayo, McCandlish, McClintic, McNeil, Wm. L. Moore, Morton, Mustain, Pedigo, Perkins, Phillips, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Sanger, Scott, Sebrell, Silver, Simpson, Smith, Spencer, Starke, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins, Williams, Wright and Young—74.

NAYS—Messrs. Catlett, Echols, Huffman and Terrell—4.

No. 111. House bill to direct the courts of the commonwealth, in all cases in which they render judgments or decrees on instruments waiving the homestead, to incorporate the fact of such waiver in said judgments or decrees, was read a second time.

Mr. SAUNDERS offered an amendment in the nature of a substitute; which was agreed to.

The bill, as amended, was ordered to be engrossed to be read a third time.

No. 136. House bill to amend and re-enact an act entitled an act to provide for the removal of obstructions from the Chickahominy river, and to punish the obstruction of the same, was read a second time.

On motions severally made by Mr. CARDWELL, the bill was amended by striking out in 7th and 21st and 22d lines the words, "the Richmond and Henrico turnpike bridge," and inserting "Owens' pond."

The bill was ordered to be engrossed to be read a third time.

No. 138. House bill to incorporate the Spotsylvania mining and manufacturing company, was read a second time.

On motions severally made by Mr. CRISMOND, the bill was amended as follows:

Section 3, line 4, after "meeting" insert, "Not less than three being present."

Section 4, line 4, insert after "uses" the words, "And engage in any and all manufactures for which said ores and lumber may furnish the crude materials."

Section 6, strike out the words, "And may sell the same at a discount of not more than 10 per cent."

The bill, as amended, was ordered to be engrossed to be read a third time.

No. 142. House bill for the relief of Mt. Zion church, of Loudoun county, was, on motion of Mr. TYLER of *Prince William*, laid on the table.

No. 145. House bill to allow K. B. Stoner, late treasurer of Botetourt county, further time to make settlement and to return delinquents and to collect tax-tickets, was read a second time.

On motion of Mr. FIGGATT, the bill was amended by adding as an independent section the following:

This act shall be in force from its passage.

The bill as amended was ordered to be engrossed to be read a third time.

Nos. 61, 65, 101, 111, 117, 118, 119, 133, 136, 138, 139 and 144. House bills, being presently engrossed, on motions severally made, were read a third time this day, respectively (two-thirds in the House so determining), and passed.

Motions severally made to reconsider the votes by which they were passed, were rejected.

On motion of Mr. SAUNDERS, the title of House bill, No. 111, was amended by striking out the whole of the same and inserting in lieu thereof the following:

"To direct the courts of the commonwealth in all cases in which they render judgments or decrees on instruments waiving the homestead or on demands against which the homestead cannot be claimed to set forth the fact as the case may be in said judgments or decrees, and to provide for the entry of the same on executions."

On motion of Mr. ECHOLS, the House adjourned until to-morrow at twelve o'clock M.

SATURDAY, JANUARY 28, 1888.

On motion of Mr. HERRING, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 27, 1888.

The Senate have passed, with amendments, House bill entitled an act to amend and re-enact section 8 of chapter 61 of the Code of Virginia, as amended by an act approved March 30, 1887, as amended by an act approved May 21, 1887, and to amend and re-enact section 12 of said chapter 61, in relation to turnpike companies, No. 59.

And they have agreed to Senate joint resolution instructing the auditor of public accounts to issue proper instructions to the commissioners of the revenue in regard to the assessment of mineral lands.

In which amendments and resolution they respectfully request the concurrence of the House of Delegates.

No. 50. House bill with Senate amendments, was placed on the calendar, the rule having been suspended on motion of Mr. CARDWELL, requiring its reference to a committee.

Senate joint resolution instructing the auditor of public accounts to issue proper instructions to the commissioners of the revenue in regard to the assessment of mineral lands, was referred to the committee on finance.

No. 229. House bill to incorporate the Gordonsville and Sperryville telephone company, reported from the committee on propositions and grievances, was read a first time.

No. 230. House bill for working and keeping in repair the roads and bridges in Spotsylvania county, reported from the committee on counties, cities and towns, was read a first time.

A resolution from the committee on printing as follows:

Resolved (the Senate concurring), That the superintendent of public printing be instructed to print and bind in pamphlet form 2,000 copies of the general road laws of the commonwealth as contained in chapter 43 of Code of 1887, from section 945 to section 962, inclusive, and from section 984 to section 1012, inclusive, which he shall safely keep and from time to time forward to the clerks of the county courts of the counties mentioned in section 1004 on the order of county court of such county as many copies as said court shall certify are needed for the overseers of the roads of such counties.

—Was agreed to.

Mr. BUFORD, from the committee on finance, asked that a bill now before said committee on the subject of appropriations be printed for the use of the committee; which request was agreed to.

Leave of absence was granted Messrs. MARTIN one day, ASH and BROWN of *Prince George and Surry* two days each.

The following were presented and referred under Rule 37:

By Mr. JOHNSON: A bill to require all preference of creditors to be evidenced by writings executed at the time the debt is contracted and recorded within ten days thereafter. Referred to the committee for courts of justice.

By Mr. SAUNDERS: A bill to amend and re-enact section 2942 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth. Referred to the committee for courts of justice.

By Mr. ECHOLS: A bill to incorporate the Augusta telephone and telegraph company. Referred to the committee on propositions and grievances.

By Mr. ARNOLD: A bill to preserve the purity of elections and to guard against abuses of the election franchise. Referred to the committee on privileges and elections.

By Mr. DAINGERFIELD: A bill to authorize the board of supervisors of Essex to rescind an order in relation to working public roads. Referred to the committee on counties, cities and towns.

By Mr. ROBERTS: A bill to protect labor in Virginia. Referred to the committee on labor and the poor.

By Mr. WILLIAMS: A communication from the commissioner of agriculture suggesting the encouragement of immigration from the frozen northwest to Virginia. Referred to the committee on immigration.

The committee on enrolled bills report that the governor has approved the following bills:

An act to incorporate the Mechanics bank of Danville.

An act to incorporate the town of Courtland, in the county of Southampton.

An act to amend and re-enact sections 2 and 5 of an act entitled an act to incorporate the Chowan and Southern railroad company, approved May 5th, 1887, and to authorize the stockholders of said company to change its name to the Norfolk and Carolina railroad company.

An act to incorporate the Loudoun creamery association.

An act to facilitate the transfer of shares in the Upper Appomattox company, and to provide for changing the same from real to personal estate, and to authorize the said company to mortgage its property and franchise.

An act to amend section 2 of an act entitled an act to amend and reduce into one act the several acts for opening and extending the navigation of the Appomattox river, approved 21st December, 1795.

An act to amend and re-enact section 33 of an act entitled an act to provide for the assessment of taxes, &c., approved March 6th, 1886, in relation to the tax on peddlers.

An act to authorize the city of Winchester to increase its bonded debt.

An act to incorporate the Norfolk fuel and gas-light company, of Norfolk, Va.

An act to incorporate the Wythe canning and manufacturing company.

The morning hour having expired, the House proceeded to the business on the calendar.

Mr. FIGGATT moved to reconsider the vote by which House bill No. 145, to allow K. B. Stoner, late treasurer of Botetourt county, further time to make settlement and to return delinquents, and to collect tax-tickets, was passed; which motion was rejected.

Ordered, That Mr. FIGGATT carry the bill to the Senate and request their concurrence.

The following House bills were, on motions severally made, taken up out of their order on the calendar, read a second time and ordered to be engrossed to be read a third time:

No. 191. House bill to further define the duties and enlarge the powers of the commissioner of agriculture (on motion of Mr. SILVER).

No. 192. House bill for the protection of farmers against spurious and worthless fertilizers (on motion of Mr. SILVER).

No. 153. House bill to incorporate the Virginia State agricultural and mechanical society, was, on motion of Mr. BUFORD, taken up out of its order on the calendar.

The bill was read a second time.

On motions severally made by Mr. BUFORD, amended as follows:

Section 5, lines 2 and 3, strike out the words, "And upon the acceptance by the corporation of the city of Richmond as herein provided."

Ninth section, 2d line, strike out the words, "And mechanical."

Ninth section, 4th line, after the word Virginia insert the word "State."

The bill was ordered to be engrossed to be read a third time.

The bill being presently engrossed, Mr. BUFORD moved that the bill be read a third time this day; which motion was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 78.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Baskerville, Bristow, Buford, Carter, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis. Dabney, Daingerfield, Dickey, Echols, Edmondson, Elam, Ewell, Figgatt, Flood, Gordon, Graves, A. W. Harris, J. S. Harris, Hay, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Martin, Mayo, McNeil, J. E. Moore, Morton, Mustain, Phillips, Pilcher, Pollard, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Smith, Spencer, Starke, Terrell, Tinsley, Treat, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins, Williams, Wright and Young—78.

Mr. BUFORD moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 162. House bill to amend and re-enact sections 3345 and 3346 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, was, on motion of Mr. HAY, taken up out of its order on the calendar and made a special continuing order for Wednesday next at one o'clock P. M.

No. 163. House bill to allow husband and wife to testify in behalf of each other in criminal cases, was, on motion of Mr. WATKINS, taken up out of its order on the calendar and made a special continuing order for Wednesday next at one o'clock P. M.

No. 225. House bill to amend and re-enact sections 2475 and 2477 of chapter 110 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the lien of vendors, mechanics and others, was, on motion of Mr. WADDILL, taken up out of its order on the calendar.

On motion of Mr. POLLARD, the bill was made a special continuing order for Monday next at one o'clock P. M.

No. 50. House bill entitled an act to incorporate the Berkley street railway company, came up.

The amendment of the Senate was agreed to.

Mr. STARKE moved to reconsider the vote by which the amendment of the Senate was agreed to; which motion was rejected.

No. 59. House bill entitled an act to amend and re-enact section 8 of chapter 61 of the Code of Virginia, as amended by an act approved March 30, 1887, as amended by an act approved May 21, 1887, and to amend and re-enact section 12 of said chapter 61, in relation to turnpike companies, came up.

The amendments of the Senate were agreed to.

Motions severally made by Mr. CARDWELL to reconsider the votes by which the Senate amendments were agreed to, were rejected.

The following Senate bills were read a third time and passed:

No. 78. Senate bill entitled an act to incorporate the Memorial asylum for infants in Fairfax county.

No. 71. Senate bill entitled an act to incorporate the Mount Vernon avenue association.

No. 82. Senate bill entitled an act to authorize the trustees of the Presbyterian church at Roanoke city to borrow money and secure by deed of trust.

Mr. ELAM moved to reconsider the vote by which Senate bill No. 82 was passed; which motion was rejected.

No. 140. Senate bill entitled an act to amend and re-enact section 6 of chapter 100, Code of 1873, as amended by an act approved February 20, 1878, as amended and re-enacted by an act approved March 31, 1879, in relation to unlawful fishing, was read a third time and passed.

Mr. POLLARD moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. POLLARD carry the bill to the Senate and request their concurrence in the amendment of the House.

No. 176. Senate bill entitled an act to authorize the trustees of Glade Spring Masonic hall to sell their property and reinvest the proceeds, was read a third time and rejected.

No. 57. Senate bill entitled an act to provide for the payment of fees due B. F. Bland and Maryus Jones for professional services rendered the board of the Chesapeake and its tributaries in protecting the oyster interests of the State, came up.

Mr. CURTIS moved to recommit the bill; which motion was rejected.

The bill was read a third time and rejected—yeas 34; nays 28.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Bristow, Buford, Catlett, Coleman, Corbett, Crismond, Daingerfield, Echols, Evans, Figgatt, Flood, Gordon, Graves, A. W. Harris, Hobson, Huffman, Hunter, Leggett, Mayo, J. E. Moore, J. Roberts,

Saunders, Sebrell, Silver, Simpson, Terrell, Tinsley, R. H. Tyler, Waddill, Watkins, Wilkins and Williams—34.

NAYS—Messrs. D. W. Anderson, Arnold, Baldwin, Barbour, Counts, Crawford, Curtis, Edmondson, J. S. Harris, Hay, Jones, Johnson, Kincheloe, McNeil, Morton, Mustain, Perkins, Pilcher, Pollard, Porter, Quesenberry, Riner, Robinson, Sanger, Spencer, Treat, Webb and Young—28.

Mr. POLLARD moved to reconsider the vote by which the bill was rejected.

On motion of Mr. POLLARD, the motion to reconsider was passed by.

No. 158. House joint resolution requesting the senators and representatives from Virginia in the Congress of the United States to use all proper means to secure the passage of a bill for the suppression of pleuro-pneumonia, known as the Palmer bill, was, on motion of Mr. ROBERTS of *Smyth and Bland*, taken up out of its order from the calendar—yeas 57; nays 7.

On motion of Mr. CRAWFORD, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Baldwin, Barbour, Baskerville, Bristow, Buford, Carter, Catlett, Coleman, Corbett, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Echols, Edmondson, Evans, Ewell, Flood, Graves, J. S. Harris, Hay, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Loving, Perkins, Phillips, Pilcher, Pollard, Riner, E. L. Roberts, J. Roberts, Ryan, Sanger, Saunders, Sebrell, Silver, Simpson, Smith, Spencer, Starke, Treat, R. H. Tyler, Watkins, Webb, West, Williams and Young—57.

NAYS—Messrs. W. A. Anderson, Arnold, Elam, Mayo, McCandlish, Quesenberry and Roane—7.

The joint resolution was read a second time and ordered to be engrossed to be read a third time.

On motion of Mr. BUFORD,

Resolved, That the following distinguished visitors now in the city of Richmond be invited to the privileges of the floor of the House: Commodore Wilson, United States Navy; Commodore Melville, United States Navy; Chief Engineer Develan, United States Navy; Senator Bray, of Delaware; Senator Butler, of South Carolina; Senator Daniel, of Virginia; Representative Elliott, of South Carolina; Representative W. H. F. Lee, of Virginia; Representative George D. Wise, of Virginia.

On motion of Mr. BUFORD, the chair was vacated for ten minutes.

The chair being resumed,

On motion of Mr. BUFORD, the House adjourned until Monday next at twelve o'clock M.

MONDAY, JANUARY 30, 1888.

Prayer by Rev. W. O. Waggoner, of the Methodist Episcopal church.

On motion of Mr. CRAWFORD, the reading of the Journal was dispensed with.

No. 224. Senate bill to amend sections 16, 21, 23, 26 and 28 of the charter of Suffolk, was reported from the committee on counties, cities and towns.

The following Senate bills were reported from the committee on finance:

No. 50. Senate bill entitled an act for the relief of the sureties of D. B. Baldwin, late treasurer of Tazewell county.

No. 132. Senate bill entitled an act for the relief of Charles W. Walker, late treasurer of Giles county, and his sureties.

No. 180. Senate bill entitled an act for the relief of Henry Mahany.

The following Senate bills were reported from the committee for courts of justice:

No. 86. Senate bill entitled an act to provide for an improved form of general index to deed-books and other records in the chancery court of the city of Richmond.

No. 225. Senate bill entitled an act to incorporate the Wytheville telephone company, and to authorize the merger of the charters of the Wythe, Bland, Carroll and Grayson telephone company and the Wytheville telephone exchange in said company.

The following Senate bills were reported from the committee on propositions and grievances:

No. 81. Senate bill to incorporate the Workingmen's association of Prince Edward county.

No. 226. Senate bill to incorporate the Wytheville street railway company.

No. 71. House bill entitled an act for the protection of game in the county of Pittsylvania, heretofore referred to the committee on propositions and grievances with Senate amendment, was reported back.

The following House bills, reported from the committee *on privileges* and elections, were read a first time:

No. 231. House bill to amend and re-enact sections 1, 2 and 5 of chapter 158 of the Acts of Assembly enacted at the extra session of 1884, in force November 29, 1884, creating electoral boards and defining their duties and powers, to repeal and strike out section 3 of said chapter and enact a substitute therefor, and to repeal sections 14 and 15 of the same (with a recommendation that it do not pass).

No. 232. House bill to provide a new registration of voters in the town of North Danville, Pittsylvania county.

No. 233. House bill to amend and re-enact section — of chapter 10 of the Code of 1887, entitled general and special elections, when and where to be held, regulations for their conduct and government, terms of office and compensation.

No. 234. House bill to incorporate the Middletown and Capon Springs turnpike company, reported from the committee on roads and internal navigation, was read a first time.

The following House bills, reported from the committee on finance, were read a first time:

No. 235. A bill for the relief of Sidney S. Fowlkes, of Nottoway county, from the payment of a fine imposed by the county court of Nottoway.

No. 236. A bill for furnishing the counties with 100 copies of J. H. Chataigne & Co.'s Virginia Business Directory and Gazetteer, 1888–'79 (with a recommendation that it do not pass).

No. 237. A bill to refund certain taxes to R. M. Kirtly erroneously assessed.

No. 238. A bill to amend Acts of Assembly 1885–'6, page 236, in regard to amount of treasurer's bond for city of Lynchburg.

No. 239. A bill for the relief of the tax-payers of Alleghany county.

No. 240. A bill for the relief of J. B. Dortch, of Halifax county, from a fine imposed by Halifax county court.

No. 241. A bill to exempt from taxation for twenty years from July 1, 1886, the lease-hold of land of the Young men's christian association of Norfolk upon certain conditions (with a recommendation that it do not pass).

No. 242. A bill extending the time to Thomas Waller, late treasurer of Stafford county, for the collection and settlement of certain taxes and levies.

No. 243. A bill to allow J. H. Franklin, W. P. Carter, J. S. Price, W. T. Croxton and P. B. Sydnor, deputy collectors for A. R. Green, treasurer of Halifax county, six months to collect any uncollected tax tickets in their hands and not returned delinquent for 1882, 1883, 1884, 1885 and 1886.

No. 244. A bill appropriating the public revenues for the fiscal years 1888 and 1889.

No. 245. A bill for the relief of William M. Dooley, of Campbell county.

No. 246. A bill to allow the trustees of William and Mary college to establish a lost bond issued by the commonwealth of Virginia for one thousand dollars, and numbered 4,083, to Hugh Blair Grigsby, under acts of the General Assembly, and donated by said Grigsby to said college, and to pay the interest on the same.

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 247. House bill to incorporate the Danville tobacco association.

No. 248. House bill to incorporate the Virginia building and loan company.

No. 249. House bill to amend and re-enact section 6 of an act approved the 1st day of March, 1886, entitled an act to incorporate the Lynchburg perpetual building and loan company (reported with a recommendation that it do not pass).

No. 250. House bill to incorporate the Virginia publishing company.

Mr. MUSTAIN, under a suspension of the rule, offered the following resolution:

Resolved, That the committee on roads and internal navigation be instructed to inquire and ascertain whether any, and, if so, what railroad companies doing business in this commonwealth are guilty of any discrimination in the rates of toll charged in favor of one class of lumber over another; and that the railroad commissioner be required to furnish said committee with such information as he may have on the subject, and such complaints as have been made to him in respect thereto. In the prosecution of said inquiry, said committee shall have power to send for persons and papers.

The resolution was agreed to.

The committee on enrolled bills report that the governor has approved the following bills:

An act to amend and re-enact the 5th section of the charter of the Farmville and Charlottesville railroad company, as amended and re-enacted by an act of the General Assembly of Virginia, approved on the 13th of January, 1888.

An act to empower and authorize the local board of improvement of Brambleton ward, city of Norfolk, by and with the consent of the select and common councils of the city of Norfolk to borrow money.

An act to incorporate the Crimora Manganese company.

An act to amend section 1 of an act entitled an act to reduce the number of trustees in Upper Appomattox company, passed December 23d, 1797.

An act to incorporate the Falls Church and Potomac railway company.

An act to incorporate the Petersburg and Asylum railway company.

An act for the relief of William Scroggins, late treasurer of Warren county.

An act to authorize the board of supervisors of Clarke county to loan out certain money to the credit of the sinking fund provided for the redemption of the bonds of the county.

On motion of Mr. DABNEY, a bill before the committee on roads and internal navigation regulating commerce in this commonwealth, was ordered to be printed for the use of the committee.

The following were presented and referred under Rule 37:

By Mr. COLEMAN: A bill to amend and re-enact section 4 of an act approved May 14th, 1887, entitled an act to prevent the destruction of fish and to prevent the obstruction of the free passage of the same in Dan river at or near Danville, Va. Referred to the committee on propositions and grievances.

By Mr. TYLER of *Richmond:* A bill to amend the charter of the city of Williamsburg. Referred to the committee on counties, cities and towns.

By Mr. TYLER of *Richmond:* A bill to create a bureau of labor and industrial statistics, and defining the powers and duties of the same. Referred to the committee on labor and the poor.

By Mr. BUFORD: A bill to authorize the Petersburg railroad company to lease its road. Referred to the committee on roads and internal navigation.

By Mr. MORTON: A bill to amend and re-enact section 3651 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887. Referred to the committee for courts of justice.

By Mr. POLLARD: A bill to enlarge the jurisdiction of the county courts. Referred to the committee for courts of justice.

By Mr. TYLER of *Richmond:* A bill to amend and re-enact section 4079 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887. Referred to the committee for courts of justice.

By Mr. POLLARD: A bill to change the boundaries of certain election districts and to amend and re-enact section 1 of chapter 121, Acts of Assembly 1877–'8, entitled an act making an appointment of senators and members of the House of Delegates, approved February 27, 1878. Referred to the committee on privileges and elections.

The morning hour having expired, the House proceeded to the business on the calendar.

The motion made by Mr. POLLARD to reconsider the vote by which Senate bill No. 57 was rejected, was, on motion of Mr. POLLARD, passed by.

No. 71. House bill entitled an act for the protection of game in the county of Pittsylvania, came up.

The amendment of the Senate was agreed to.

Mr. COLEMAN moved to reconsider the vote by which the amendment of the Senate was agreed to; which motion was rejected.

No. 50. Senate bill entitled an act for the relief of D. B. Baldwin, late treasurer of Tazewell county, came up.

Mr. POLLARD moved to amend the bill by striking out all after the word "indebtedness" in the 13th line of 1st section.

Pending which,

On motion of Mr. MCCANDLISH, the bill was passed by.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had passed Senate bill entitled an act to amend and re-enact section 3 of chapter 391 of the Acts of 1887, entitled an act to secure to operatives and laborers engaged in and about coal mines, manufactories of iron and steel, and all other manufactories, the payment of their wages at regular intervals and in lawful money of the United States, No. 74; in which they respectfully request the concurrence of the House.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had passed Senate bill entitled an act to allow the Charlottesville and University electric light and gas company to locate its poles and wires in, along and through the streets and alleys of the town of Charlottesville, No. 237; in which they respectfully request the concurrence of the House.

No. 132. Senate bill entitled an act for the relief of Charles W. Walker, late treasurer of Giles county, was read a third time and passed—yeas 57; nays 14.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Arnold, Baldwin, Baskerville, Bristow, Buford, Carter, Catlett, Coleman, Corbett, Crawford, Curtis, Daingerfield, Dickey, Edmondson, Elam, Evans, Gordon, A. W. Harris, Herring, Huffman, Hunter, Jones, Kincheloe, Leggett, Loving, Mayo, McClintic, McNeil, J. E. Moore, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Porter, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Scott, Sebrell, Simpson, Smith, Spencer, Tinsley, Lyon G. Tyler, R. H. Tyler, Webb, West, Williams and Young—57.

NAYS—Messrs. D. W. Anderson, Dabney, Echols, Graves, J. S. Harris, Hay, Johnson, McCandlish, Pollard, Quesenberry, Treat, Watkins, Wilkins and Wright—14.

No. 180. Senate bill entitled an act for the relief of Henry Mahany, was read a third time and passed—yeas 64; nays 3.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Barbour, Baskerville, Bristow, Buford, Carter, Catlett, Coleman, Corbett, Crawford, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Elam, Evans, Ewell, Figgatt, Gordon, Graves, A. W. Harris, J. S. Harris, Herring, Hobson, Huffman, Hunter, Kincheloe, Leggett, Mayo, McClintic, J. E. Moore, Morton, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Pollard, Porter, Quesenberry, Roane, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Sebrell, Simpson, Spencer, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, Webb, West, Wilkins, Williams and Young—64.

NAYS—Messrs. Hay, Johnson and Treat—3.

The following Senate bills were read a third time and passed:

No. 86. Senate bill entitled an act to provide for an improved form of general index to deed-books and other records in the chancery court of the city of Richmond.

No. 81. Senate bill entitled an act to incorporate the Workingmen's association of Prince Edward county.

No. 225. Senate bill entitled an act to incorporate the Wytheville telephone company, and to authorize the merger of the charters of the Wythe, Bland, Carroll and Grayson telephone company and the Wytheville telephone exchange in said company.

No. 226. Senate bill entitled an act to incorporate the Wytheville street railway company.

No. 224. Senate bill entitled an act to amend sections 16, 21, 23, 26 and 28 of the charter of Suffolk.

Motions severally made to reconsider the votes by which Senate bills Nos. 132, 180, 86, 225, 81, 226 and 224 were passed, were rejected.

The hour of one o'clock P. M. having arrived, special order,

No. 225. House bill to amend and re-enact sections 2475 and 2477 of chapter 110 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the lien of vendors, mechanics and others, came up.

On motion of Mr. TREAT the bill was passed by.

No. 78. House engrossed bill for the relief of William Morton, of Orange county, was read a third time and rejected—yeas 14; nays 47.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Arnold, Crawford, Curtis, Dupuy, Evans, Figgatt, Flood, Gordon, A. W. Harris, Huffman, Hunter, Overby, Lyon G. Tyler and Watkins—14.

NAYS—Messrs. Allensworth, Bristow, Buford, Carter, Catlett, Corbett, Counts, Dabney, Daingerfield, Dickey, Echols, Edmondson, Elam, Ewell, Graves, J. S. Harris, Hay, Herring, Hobson, Johnson, Kincheloe, McCandlish, McNeil, Mustain, Parr, Pedigo, Perkins, Phillips, Porter, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Smith, Terrell, Treat, R. H. Tyler, Webb, Wilkins and Williams—47.

Mr. ELAM moved to reconsider the vote by which the bill was rejected.

Mr. CATLETT moved to pass by the motion to reconsider; which was rejected.

The motion by Mr. ELAM was rejected.

The following House engrossed bills were read a third time and passed:

No. 97. House engrossed bill to incorporate the Tazewell female seminary.

No. 108. House engrossed bill to amend and re-enact section 2042 of the Code of 1887, in relation to trespass by cattle, &c.

No. 23. House engrossed bill to incorporate the Star of Bethlehem order of Galilean fishermen.

No. 45. House engrossed bill to incorporate the Virginia and Pennsylvania iron and coal company.

No. 191. House engrossed bill to further define the duties and enlarge the powers of the commissioner of agriculture—yeas 62.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Arnold, Baldwin, Baskerville, Bristow, Buford, Catlett, Coleman, Corbett, Counts, Crawford, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Elam, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herring, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McNeil, J. E. Moore, Morton, Mustain, Overby, Perkins, Phillips, Pilcher, Pollard, Porter, Roane, E. L. Roberts, J. Roberts, Ryan, Sanger, Scott, Sebrell, Silver, Simpson, Smith, Terrell, Lyon G. Tyler, R. H. Tyler, Webb, West, Williams and Young—62.

No. 192. House engrossed bill for the protection of farmers against spurious and worthless fertilizers.

No. 158. House engrossed joint resolution requesting the senators and representatives from Virginia in the Congress of the United States to use all proper means to secure the passage of a bill for the suppression of pleuro-pneumonia, known as the Palmer bill, was read a third time and agreed to.

Motions severally made to reconsider the votes by which House engrossed bills Nos. 108, 45, 191 and 192 were passed, and by which House joint resolution No. 158 was agreed to, were rejected.

No. 152. House bill to provide for a board of agriculture of Virginia and making appropriation, was, on motion of Mr. DUPUY, taken up out of its order on the calendar.

On motion of Mr. DUPUY, the bill was made a special continuing order for Wednesday next at one o'clock P. M.

No. 175. House bill to require insurance companies operating upon the assessment plan to make statements to policy-holders or members, was, on motion of Mr. CATLETT, taken up out of its order on the calendar.

On motion of Mr. CATLETT, the bill was recommitted to the committee on propositions and grievances.

The following House bills were taken up out of their order, on motions severally made, and read a second time and ordered to be engrossed to be read a third time:

No. 169. House bill to amend and re-enact an act approved May 6, 1887, entitled an act to incorporate the Mineral railway company (on motion of Mr. RYAN).

No. 177. House bill to incorporate the West-End water company (on motion of Mr. MCCANDLISH).

On motion of Mr. TREAT, the House adjourned until to-morrow at twelve o'clock M.

TUESDAY, JANUARY 31, 1888.

On motion of Mr. WILKINS, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 30, 1888.

The Senate have passed House bills entitled an act to incorporate the Farmers' independent and benevolent society of Southampton county, No. 5; an act to prevent fraud in the sale of land, No. 42; an act incorporating the Berkley and Carrituck turnpike company, No. 49; an act to make Nansemond river, in the county of Nansemond, between certain points, a lawful fence, No. 56; an act to incorporate the Lexington street railway company, No. 16; an act to authorize the board of supervisors of Halifax county to issue its warrant on the treasurer of said county in favor of James C. Walker for the sum of $35, with interest from February 9, 1871, No. 58; an act granting a loan of arms of the State to the principal of Marion high school, in the county of Smyth, No. 89; an act to authorize Christian Hanson to erect a wharf in front of his shore for shipping oysters, No. 91; an act to authorize and empower the Tunis lumber company, of Baltimore city, to hold land in the State of Virginia, No. 93; an act to authorize the council of the city of Portsmouth to issue bonds for the purpose of retiring and refunding certain outstanding bonds of said city, No. 99; an act to incorporate the Richmond City and Seven Pines railway company, No. 81; an act to allow the Eastern Shore steamboat company of Maryland to acquire, hold and dispose of a certain tract of land in Northampton county, Va., No. 102; an act to allow W. J. Cave, treasurer of Madison county, further time to collect tax-tickets for which he has accounted to the State, No. 103; an act to amend and re-enact an act approved January 16, 1886, entitled an act to allow William H. Ellis to erect a wharf at Franklin city, Accomac county, No. 117; an act authorizing the board of supervisors of Culpeper county to adjudicate, adjust and allow certain claims and demands of George W. Cooper and the executors of P. C. Smith, deceased, against said county for repairing and keeping in order certain sections of the public roads of said county, No. 139; and an act to repeal sections 1853, 1854 and 1884 of chapter 84 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the inspection of flour and fish, No. 166.

They have passed House bills, with amendments, entitled an act for the relief of Bethel Presbyterian church, Shenandoah Presbyterian church and St. John's German Reformed church, in Augusta county, No. 121; an act to amend and re-enact section 1 of chapter 155 of Acts 1884, extra session, entitled an act to amend and re-

enact section 1 of an act entitled an act for making and repairing division fences between coterminous land owners in the counties of Alleghany, Bath, Botetourt, Highland, Rockbridge, Loudoun, Frederick, Nelson, Clarke, Pittsylvania, Carroll, Craig, Rockingham and Scott, approved March 6, 1882, and as amended and re-enacted by an act approved April 14, 1882, No. 73; and an act authorizing the counties of Cumberland and Powhatan to change the form of bonds subscribed to the Farmville and Powhatan railroad company, No. 57.

They have rejected House bills entitled an act to amend and re-enact section 1 of chapter 50, extra session of 1884, and to amend and re-enact section 1 of chapter 377, approved March, 1886, in relation to records in clerk's office of Rockingham county, No. 53; and an act to authorize attachments to issue in favor of the commonwealth in certain cases, No. 112.

They have agreed to House joint resolution appointing a joint committee to visit the military institute.

They have agreed to the amendment proposed by the House of Delegates to Senate bill entitled an act to amend and re-enact section 6 of chapter 100, Code of 1873, as amended by an act approved February 20, 1878, as amended and re-enacted by an act approved March 31, 1879, in relation to unlawful fishing, No. 140.

They have passed Senate bills entitled an act to incorporate Copperhouk Springs company, No. 39; an act for the relief of the sureties of James P. Critz, late treasurer of Patrick county, No. 60; an act to remove the political disabilities of Daniel P. Curtis, No. 65; an act to amend and re-enact section 4 of chapter 331 of Acts of Assembly, 1887, entitled an act to adopt and provide for the publication and distribution of the Code of Virginia, for the preparation and publication of the explanatory notes of the revisors of the Code, and for furnishing the revisors with an office and stationery, No. 66; an act to release taxes due on the parsonage of the Methodist Episcopal church, South, in Gloucester county, No. 69; an act to amend and re-enact section 1 of chapter 39, Code of 1873, as amended by an act approved February 15, 1879, and to amend and re-enact section 2 of chapter 39, Code of 1873, in reference to the price paid for land warrants and the fees paid in the land office, No. 77; an act to incorporate the Danville storage company, No. 90; an act to incorporate the Montrose land and improvement company, No. 170; an act declaring certain ground under water, known as Hog Island flats, open and eligible for the planting and sowing of oysters, No. 171; an act to incorporate the *Bee*, No. 208; an act to authorize the council of the town of Gordonsville to issue bonds for the purpose of constructing water works, No. 251; and an act to repeal an act entitled an act to limit the time within which the South Atlantic and Ohio railroad company shall commence and complete its road, approved March 10, 1884, and to legalize all corporate acts which the said company may have performed since the 1st day of December, 1887, No. 163.

In which amendments and bills they respectfully request the concurrence of the House of Delegates.

Nos. 121, 73 and 57. House bills, with Senate amendments, were placed on the calendar, the rule having been suspended, on motions severally made, requiring their reference to committees.

Nos. 90, 208 and 251. Senate bills were read twice and placed on the calendar, the rule having been suspended, on motions severally made, requiring their reference to committees.

Nos. 77, 69 and 60. Senate bills were read twice and referred to the committee on finance.

Nos. 65 and 66. Senate bills were read twice and referred to the committee for courts of justice.

Nos. 39 and 170. Senate bills were read twice and referred to the committee on propositions and grievances.

No. 163. Senate bill was read twice and referred to the committee on roads and internal navigation.

No. 237. Senate bill was read twice and referred to the committee on counties, cities and towns.

No. 171. Senate bill was read twice and referred to the committee on Chesapeake and its tributaries.

No. 74. Senate bill entitled an act to amend and re-enact section 3 of chapter 391 of the acts of 1887, entitled an act to secure to operatives and laborers engaged in and about coal mines, manufactories of iron and steel and all other manufactories, the payment of their wages at regular intervals, and in lawful money of the United States, was read twice and placed on the calendar, the rule being suspended on motion of Mr. CARTER, requiring its reference to a committee.

No. 237. Senate bill entitled an act to allow the Charlottesville and University of Virginia electric light and gas company to locate its poles and wires in, along and through the streets and alleys of the town of Charlottesville, was read twice and referred to the committee on counties, cities and towns.

The following Senate bills were reported from the committee on finance:

No. 128. An act making an appropriation for furnishing the new addition to the Central lunatic asylum, and for the support of additional inmates and paying of arrearages.

No. 161. An act for the relief of J. R. Moss, late treasurer of the county of Buckingham.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 251. House bill to authorize county subscriptions to the capital stock of the Charleston and Chicago railroad company.

No. 252. House bill rearranging and extending the corporate limits of Staunton, was reported (with a recommendation that it do not pass).

The following House bills, reported from the committee on roads and internal navigation, were read a first time:

No. 253. House bill to incorporate the Richmond and Eltham railroad and navigation company.

No. 254. House bill to incorporate the Green Springs tramway company.

The following Senate bills were reported from the committee on roads and internal navigation:

No. 155. Senate bill to authorize the issue of bonds and stock by the Chesapeake and Ohio railway company.

No. 111. Senate bill to incorporate the Warwick Park transportation company.

No. 126. Senate bill to amend and re-enact sections 1, 2, 5, 7, 9, 16, 17, 20 and 21 of an act entitled an act to provide a new charter for the town of Charlottesville, approved March 28, 1873, the act amending section 2, approved February 23, 1875, and the acts amending sections 4 and 17, approved April 28, 1874, and February 23, 1875, respectively, was reported from the committee on counties, cities and towns.

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 255. House bill to amend and re-enact the charter of the town of Warrenton.

No. 256. House bill to incorporate the Augusta telephone and telegraph company.

The following House bills, reported from the committee on Chesapeake and its tributaries, were read a first time:

No. 257. House bill to amend and re-enact section 13 of an act for the preservation of oysters and to obtain revenue for privilege of taking them within the waters of the commonwealth, approved March 4, 1884, as amended by the act approved August 27, 1884, as amended by the acts approved November 26th and November 29, 1884, as amended by the act of March 6, 1886, as amended by the act approved April 28, 1887.

No. 258. House bill to authorize Theodore Haughwont to erect a wharf on Chuckatuck creek.

No. 259. House bill to authorize Theodore Haughwont to erect a pier-head on his oyster ground on James river.

No. 260. House bill to allow Mrs. Mary J. Young to erect a wharf, platforms, sheds and other necessary buildings for conducting the business at Franklin city, Accomac county, Virginia, adjoining her land.

No. 261. A bill to provide for the collection of delinquent taxes on real estate due to the town of Farmville for the years 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884 and 1885, reported from the committee on finance, was read a first time.

The following report was agreed to:

The committee on manufactures and mechanic arts have had under consideration House bill No. 129, to establish a bureau of labor and the office of labor commissioner for the commonwealth, &c., respectfully ask to be discharged from its further consideration, and that the same be referred to the committee on labor and the poor.

Mr. STARKE offered the following resolution:

Whereas rumors have become current in the public press and otherwise gravely affecting the character of one or more members of this House in connection with alleged abuses in the use of free passes over some of the railroads of this State; therefore,

Resolved, That a committee of five be appointed by the SPEAKER to inquire into and report upon the facts and circumstance of the case. Said committee shall have power to send for persons and papers.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

The SPEAKER appointed Messrs. STARKE, WATKINS, HUFFMAN, BRISTOW and ROANE.

Mr. ECHOLS offered the following resolution:

Resolved (the Senate concurring), That the committee on asylums and prisons of the House of Delegates and the committee on public institutions be, and they are hereby, instructed to investigate and report to the General Assembly the cause of the recent fire at the State penitentiary, the extent of the damage done by said fire, the loss to the State occasioned thereby, and to make such recommendation as they may deem proper in order to repair the damage done. In making said investigation said committee shall have power to send for persons and papers.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. ECHOLS moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. ECHOLS carry the resolution to the Senate and request their concurrence.

Mr. FIGGATT offered the following resolution:

Resolved, That the committee on public property be instructed to examine and report the repairs necessary to be made to the capitol, capitol square and the governor's mansion and grounds, and the amount that should be appropriated for that purpose.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. FIGGATT offered the following resolution:

Resolved, That the committee on asylums and prisons be instructed to inquire and report what provision, if any, can be made at the Central lunatic asylum or elsewhere, for the care and education of the deaf, dumb and blind of the colored people of the State, and the probable cost thereof.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Leave of absence was granted Messrs. JARRATT and MONTAGUE two days each.

The report of the committee on privileges and elections in the contested election case of J. E. Kilgro against G. W. Leggett, of the county of Princess Anne, was presented as follows:

To the House of Delegates of Virginia:

Your committee, to whom was referred the petition of James E. Kilgro, contesting the seat of George W. Leggett, the sitting member from the county of Princess Anne, beg leave to report that they have carefully considered the several grounds of contest stated in said petition.

All of these relate to alleged frauds and irregularities at the Courthouse precinct and Kempsville precinct. As far as the last named precinct is concerned the charges are not sustained by any evidence; but, in explanation of a failure to take evidence, the contestant's counsel stated before the committee that so much time was consumed in the taking of the depositions in reference to the irregularities at the Courthouse precinct, that the statutory limit expired before evidence could be taken in regard to Kempsville. Your committee deem this no sufficient excuse for a failure to take such testimony, as it was entirely legal for the contestant to have proceeded at different places at the same time to have taken evidence.

The charges in regard to the Courthouse precinct are as follows:

1st. That at the voting precinct of Princess Anne Courthouse, in the Seaboard district in said county, certain persons, whose names are set forth in said notice, and being 178 in number, were legally registered and qualified voters, lawfully entitled to cast their votes at said election at said voting precinct, and, being such, were so accepted, and cast their votes for your petitioner for said office on said 8th day of November; yet, notwithstanding said votes were so cast for me as aforesaid, by the official returns of said voting precinct your petitioner is credited with only 154 votes out of a total vote cast of 368; that had said votes of said persons been by the judges of election lawfully counted for your petitioner, the majority of said George W. Leggett over your petitioner at said voting precinct would have been only 12 instead of 60, with which said George W. Leggett is credited by said returns; and that out of the total vote of 368 only 190 were lawfully cast for said George W. Leggett, and all in excess thereof, counted for him, were illegally so counted.

2d. That at said voting precinct all of the judges of election (naming them) belonged to and openly affiliated with the Democratic party, of which said George W. Leggett was the candidate, and no one of them belonged to or affiliated with the Republican party, of which your petitioner was the candidate, although it was not only possible, but easily practicable, to appoint said judges of election of different political parties.

3d. That at said voting precinct a large number of illegal ballots, containing on their face only the name of George W. Leggett, and not designating the office to which he was intended to be chosen. were illegally cast and counted for said George W. Leggett, and that a further large number of the ballots cast at said precinct and counted for said George W. Leggett were so torn and mutilated as not to be in conformity with law.

To sustain the first charge a large number of persons voting at the Princess Anne Courthouse precinct are introduced as witnesses, to prove that they voted for or intended to vote for the contestant, James E. Kilgro, and in this way to falsify the returns of the judges of election, and thus to show that fraud was perpetrated by said judges in returning a larger number of votes for the contestee than he actually received. Of the 368 votes cast at the precinct, 187 are brought to the witness stand and say, substantially, that they voted, or intended to vote, for the contestant. Of these, 36 were white persons and 82 colored persons, who said that they could read and write; the remainder, 69 in number, all colored persons, could neither read nor write, and therefore could not speak positively as to whether they voted for the contestant or the contestee. Thus it will be seen that if all the persons examined who could read and write, and therefore capable of stating for whom they voted, were counted for the contestant, his vote at the precinct would have amounted to 118, whereas he is credited by the judges with having received 154 votes, or 36 votes more than the number who were able to swear positively that they voted for the contestant. This character of testimony is always to be accepted with the greatest caution, especially when given by illiterate and ignorant voters. People may be frequently found after an election is over who will state that they voted, or intended to vote, in a way different from that in which their ballots were actually cast. It is laid down by the authorities that the returns of the vote of a given precinct, made in due form, and signed by the proper officers, is the best evidence as to the state of the vote, and that before such a return can be set aside there must be clear proof that the proceedings in the conduct of the election, or in the return of the vote, are so tainted with fraud that the truth cannot be deduced from the returns. See McCrary on Elections, sections 436–8. In section 439, the same author says: "The ballots are the best evidence, when it is shown or conceded that they are the identical ballots, and all the ballots, deposited by legal voters; but when the question is whether fraudulent ballots have been deposited, or honest ballots abstracted, the ballots in the box are by no means the best evidence." In this case two packages, purporting to be the ballots cast in the late election at the two precincts above referred to were produced before the committee by the clerk of the county court of Princess Anne county, in obedience to an order of the committee, but these packages were not opened by the committee, for two reasons:

(1). Because there was no evidence tracing them from the custody of the judges of election to the clerk, thus excluding the idea of

fraud; and (2). Because neither side, after the packages were produced, and actually before the committee asked for an inspection of them. Upon these state of facts, in the face of returns regular in all respects, and also, in the face of the evidence of the judges and clerks of election at the Princess Anne Courthouse precinct, your committee cannot presume fraud and the substitution of ballots, as charged by the contestant. They therefore conclude that the first charge in his petition is not sustained by the evidence.

In regard to the second ground, your committee is opinion, that though true, it does not justify the rejection of the precinct. While they think the failure of the two Democratic judges to appoint a Republican in place of the absent Republican judge is reprehensible, yet they have no right either to visit their misconduct upon the sitting member, or to disfranchise, practically, a whole community by refusing to count legal votes cast for the contestee at that precinct.

There is no proof to sustain the third charge put forth by the contestant, and of course it must fall.

We, therefore, recommend the adoption of the following resolutions:

First. That the contestant, James E. Kilgro, is not entitled to a seat upon the floor of the House of Delegates.

Second. That George W. Leggett is entitled to the seat now occupied by him.

Respectfully reported,

HENRY R. POLLARD, *Chairman.*

On motion of Mr. MAYO, the report was passed by and ordered to be printed.

The report of the committee on privileges and elections in the case of A. M. MCCLINTIC, of Bath, Alleghany and Highland was presented as follows:

The undersigned, members of the committee on privileges and elections, beg leave to submit the following report in the case of A. M. McClintic:

In this case your committee was directed to inquire into the eligibility of A. M. McClintic to a seat in this House as a member from the counties of Alleghany, Highland and Bath.

In the early part of the year 1879 A. M. McClintic lived with his wife and two bound children at Oak Hill, in the county of Bath, upon a farm which, it appears, he had purchased from his brother, but which he had not paid for. In March, 1879, McClintic resold or surrendered the said farm to his brother, but continued to reside upon it until March, 1880, as the tenant of his brother. On the 5th day of March, 1880, Charlotte A. McClintic, the wife of A. M. McClintic, rented or leased from her mother, Charlotte Thompson, a farm lying in the county of Botetourt; and the said Charlotte A. McClintic, together with the two bound children above-mentioned, at once left Oak Hill, in the county of Bath, and removed to said

farm in the county of Botetourt. The said Charlotte, by inheritance and purchase, has become the owner of a considerable portion of the farm so leased, and has continuously resided upon the same since March, 1880, but occasionally has visited in the counties of Alleghany, Bath and Highland during that time. The relations between said McClintic and wife appear to have always been of the most pleasant character, and a separation has never been desired or for a moment thought of by them. According to the testimony of McClintic, he declared at the time of his wife's removal to Botetourt that his business was of such a character that he could not and would not go to Botetourt county to live, but that he would not object to his wife going. He appears to have voted, ever since the breaking up of his home at Oak Hill, at the voting precinct near Oak Hill, in Bath county. He testifies that he considers Oak Hill his home.

He is interested in the mercantile business at Mountain Grove, in Bath county; owns some unimproved land in Bath county; owns a store-house and carries on, on his own account, the mercantile business at Edray, in Pocahontas county, W. Va. (at which last-named place he keeps a furnished room and employs a cook); has a room rented at Oak Hill, in Bath county, from Harper McGloughlin, who now owns and resides on the Oak Hill farm, which room he has the right to occupy when at Oak Hill, but which McGloughlin uses at other times. He has business interests at Covington, Alleghany county, and Fudge & McClintic sell liquor in Botetourt county, which business he (McClintic) looks after. His life appears to be spent at the various places above named and with his wife in Botetourt, about as much at one place as another, and his time is spent in looking after his business at these various points and in trading in horses and cattle.

He testifies that his intention has been to retain his residence in Bath county, and a number of witnesses prove that they have heard him make declarations to that effect, while three witnesses—W. E. Smith, the barkeeper for Fudge & McClintic at Covington, Robert N. Skeen and R. H. Davis, a man who was formerly a conductor on the Richmond and Alleghany railroad—testify that they have heard him speak of Botetourt as his home—that is, when going toward Botetourt they have heard him say he was going home, and when returning they have heard him say he had been home. He left at the house at Oak Hill, in Bath county, when breaking up there, some articles of household furniture, which he allows Harper McGloughlin to use upon condition that he (McGloughlin) pay the taxes on the same.

It should be further stated that McClintic and wife have no children, and that since the removal of the wife to Botetourt the bound children have gone to Texas. He lists a horse and cow for taxation in Bath, and pays his capitation tax there. It is further in proof by McClintic and Miss Lacy, that, at the time his wife left Bath for Bote-

tourt county, he said to her substantially: "You have nursed my sick mother, now she is dead, and your mother is sick and needs you. I can't object to your going, but I can't go with you, for my business interests are such I can't leave Bath county." Mrs. McClintic's mother has been dead about two years, and Mrs. McClintic still lives there.

The Constitution of Virginia, article 5, section 5, provides that, "any person may be elected a member of the House of Delegates who, at the time of election, is actually a resident within the county, city, town or election district, qualified to vote for members of the General Assembly according to this Constitution."

The report adopted by this House in the case of Reynolds *vs.* Bolling, interprets this constitutional requirement as follows: "The required illegibility is two-fold—first, a citizen entitled to vote; second, a residence actual at the time of election, not constructive. And it is manifest that the distinction between qualification of voters and qualification for members of the Legislature, was carefully made. A citizen may be a suffragan (having once acquired the privilege), though not actually, bodily, a resident; but he must be both an elector and living within the limits of his county at the time of his election, to be fitted for a representative of the people. That the framers of the Constitution intended the express meaning of this provision, is conclusively demonstrated by section 2, article 3, which reads: 'That all elections shall be by ballot, and persons entitled to vote shall be eligible to any office within the gift of the people, except as restricted in this Constitution.'" House Journal, 1883–'4, page 229. This interpretation appears most reasonable, for unless something more than to be a voter is required in the qualification of a member of this House, why is it said in the Constitution that a resident shall be entitled to vote, but of a member of the House of Delegates that he must be actually a resident within his county, &c.

"A man retains his domicile if he leaves it *animo revertendi*," and thus he may retain his residence for the purpose of voting, while actually, in point of fact, his dwelling place is outside of the county in which he is a voter, and of which he is constructively a resident by virtue of his intention to return, but actual residence as distinguished from this constructive residence, is requisite to render a man eligible to a seat in this House.

Cooley on Con. Lim., page 755, says: "The words 'inhabitant,' 'citizen' and 'resident,' as employed in different constitutions to define qualifications of electors, mean substantially the same thing, and one is an inhabitant, citizen or resident, where he has his domicile or home."

If A. M. McClintic has any domicile or home within either of the counties named, it is, according to his own evidence, at Oak Hill, the house of Harper McGloughlin, in the county of Bath.

Bouveir defines domicile as being, "That place where a man has his true, fixed and permanent home and principal establishment, and to

which whenever he is absent he has the intention of returning." Law Dic., 555.

The wife of A. M. McClintic lives in the county of Botetourt, on land which she owns. There has been no separation between Mr. McClintic and his wife, and it is shown that the relations existing between them are of the most pleasant character. The only house that Mr. McClintic owns, and his principal individual business, is at Edray, in West Virginia, and at this last-named place he keeps a furnished room and employs a cook. He has an interest in a store at Mountain Grove, in Bath county, some distance from Oak Hill, the house of Harper McGloughlin, and in a different election district. He does not claim his home at this place. All the property that Mr. McClintic has at Harper McGloughlin's is some articles of household furniture which he and his wife left there when they broke up their home at that place in the year 1880. He has been at Harper McGloughlin's, upon his own evidence, once a month during the last seven years, and has no business interests whatever at that place. He has a room rented in McGloughlin's house, which he has the right to occupy when there, which he does not carry the key to, and which McGloughlin uses in his absence. In view of these facts, is the true, fixed and permanent home and principal establishment of A. M. McClintic at the house of McGloughlin? And although he may intend that such place shall be his home, has he been such an actual resident at this place as is contemplated by the Constitution? We think not.

In the case of Cessua *vs.* Myers, in the Congress of the United States, it is said: "The place where a man's property is, where his family is, the place to which he goes back from time whenever no temporary occasion calls him elsewhere, where the permanent and ordinary business of his life is conducted, that is to the ordinary man the place of his home." McCrary on Elections, 499. With the exceptions of the articles of furniture referred to, and on which McGloughlin pays the tax, Mr. McClintic has no property at McGloughlin's; he has a wife, but not there; he does not carry on any business there. When asked where he went to stay when he had spare time, McClintic answered; If my wife is in West Virginia I go to see her; if she happens to be in Botetourt I go there to see her. See record, page 64.

Tried by this test, we do not find one single evidence of the home of Mr. McClintic at the house of McGloughlin; and, what is more important in the just and proper settlement of this case, the proof utterly fails to show that he actually resides at this place; but, on the other hand, it shows that his life is a wandering one; that his business interests are chiefly beyond and without the district which he here represents, and as a consequence there is wanting that unity of thought and purpose and interest with that constituency which the framers of the Constitution contemplated when they embodied that requirement in the qualification of a member of the General Assembly, that he should be actually a resident within the county,

&c. The *animus revertendi* cannot apply in this case. While it may avail to entitle him to vote at the place of his alleged home, the fact of an intention to return precludes the idea of present actual residence.

We, therefore, recommend the adoption of the following resolution:

Resolved, That the seat of the member from the counties of Alleghany, Highland and Bath be declared vacant.

J. E. MOORE,
HENRY R. POLLARD.
ROBERT I. SIMPSON,
JOSEPH HOBSON,
J. F. RYAN.

On motion of Mr. BRISTOW, the report was postponed until Saturday and ordered to be printed.

The SPEAKER laid before the House a communication from the governor transmitting the report of the second auditor on the condition of the Miller fund. (Document No. 6.)

The following were presented and referred under Rule 37:

By Mr. WATKINS: A bill to allow C. C. Granger, deputy collector for A. R. Green, treaturer of Halifax county, to make a further return of delinquent taxes for the year 1885. Referred to the committee on finance.

By Mr. WATKINS: A bill to allow A. R. Green, treasurer of Halifax county, and his deputies six months within which to distrain and levy for and collect tax-tickets for 1882, and J. W. Chandler, deputy collector, to make a further return of delinquents for 1882. Referred to the committee on finance.

By Mr. FIGGATT: A bill to provide for the repairs of buildings and other contingent expenses of the Virginia agricultural and mechanical college. Referred to to the committee on finance.

By Mr. FIGGATT: A bill to appropriate money to build barracks at the Virginia agricultural and mechanical college. Referred to the committee on finance.

By Mr. TYLER of *Richmond city:* A bill to incorporate the Jefferson fishing, sporting and yacht club. Referred to the committee on propositions and grievances.

By Mr. CARTER: A bill to incorporate the Virginia printing and lithographing company. Referred to the committee on propositions and grievances.

By Mr. STARKE: A bill to amend and re-enact section 15 of an act amending and re-enacting section 15, chapter 7, Code of Virginia (edition of 1873), in relation to the removal of voters from wards in which they are registered. Referred to the committee on privileges and elections.

By Mr. JOHNSON: A bill to allow the voters in Carrolton precinct, Isle of Wight county, to vote on the adoption of the no-fence law. Referred to the committee on counties, cities and towns.

By Mr. HUFFMAN: A bill to amend and re-enact section 5 of an act entitled an act to incorporate the Craig company. Referred to the committee on roads and internal navigation.

By Mr. SCOTT: A bill to establish a bureau of immigration and to make an appropriation of $10,000 therefor. Referred to the committee on immigration.

By Mr. DABNEY: A bill to remove the political disabilities of H. Barry. Referred to the committee for courts of justice.

By Mr. FLOOD: Resolution instructing the committee on schools and colleges to enquire into the accountability of county treasurers in the disbursement of that portion of the public school fund derived from county taxes. Referred to the committee on schools and colleges.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 228. House joint resolution authorizing the governor to hire convicts to the Abingdon coal and iron company, was, on motion of Mr. EDMONDSON, taken up out of its order on the calendar. The resolution was read a second time and ordered to be engrossed to be read a third time.

No. 225. House bill to amend and re-enact sections 2475 and 2477 of chapter 110 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the lien of vendors, mechanics and others, was, on motion of Mr. WADDILL, taken up out of its order on the calendar.

On motion of Mr. WADDILL, the bill was recommitted to the committee for courts of justice.

No. 128. Senate bill entitled an act making an appropriation for furnishing the new addition to the Central lunatic asylum and for the support of additional inmates and paying of arrearages, was, on motion of Mr. CARDWELL, taken up out of its order on the calendar.

The bill was read a third time and passed—yeas 82; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Elam, Evans, Ewell, Figgatt, Flood, Gordon, Graves, A. W. Harris, J. S. Harris, Hay, Herbert, Herring, Huffman, Hunter, Jones, Johnson, Kincheloe, Loving, Martin, Mayo, McCandlish, McClintic, McNeil, J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Pollard, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Simpson, Smith, Spencer, Starke, Terrell, Tinsley, Treat, R. H. Tyler, Waddill, Webb, West, Wilkins, Williams, Wright and Young—82.

NAYS—Mr. McKee—1.

Mr. TERRELL moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 126. Senate bill entitled an act to amend and re-enact sections 1, 2, 5, 7, 9, 16, 17, 20 and 21 of an act entitled an act to provide a new charter for the town of Charlottesville, approved March 28, 1873, the act amending section 2, approved February 23, 1875, and the acts amending sections 4 and 17, approved April 28, 1874, and February 23, 1875, respectively, was, on motion of Mr. HARRIS of *Albemarle*, taken up out of its order on the calendar.

The bill was read a third time and passed.

Mr. HARRIS of *Albemarle* moved to reconsider the vote by which the bill was passed; which motion was rejected.

A message was received from the Senate by Mr. Wickham, who informed the House that the Senate had passed House bill entitled an act to amend and re-enact an act entitled an act to provide for the removal of obstructions from the Chickahominy river, and to punish the obstruction of the same, No. 136, with an amendment, in which they respectfully request the concurrence of the House.

No. 168. House bill for the relief of E. S. Costin, late treasurer of Northampton county, was, on motion of Mr. WILKINS, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

No. 197. House bill to amend and re-enact section 15 of an act entitled an act for the preservation of oysters, and to obtain revenue therefrom for the privilege of taking them in the waters of the commonwealth, approved March 4, 1884, was, on motion of Mr. BRISTOW, taken up out of its order on the calendar.

The bill was read a second time.

Mr. BRISTOW offered an amendment in the nature of a substitute, which was agreed to.

The bill, as amended, was ordered to be engrossed to be read a third time.

No. 137. House bill to amend and re-enact section 4 of an act entitled an act to regulate the practice of medicine and surgery, approved January 31, 1884, was, on motion of Mr. ANDERSON of *Rockbridge*, taken up out of its order on the calendar.

On motion of Mr. ANDERSON of *Rockbridge*, the bill was made a special continuing order for Friday next at one o'clock P. M.

On motion of Mr. POLLARD, the House proceeded to the consideration of House bills on their second reading.

No. 90. House bill to amend and re-enact section 1 of an act entitled an act to prohibit the use of pound nets and purse nets in the waters of James and Chickahominy rivers below tide-water, approved May 16, 1887, was, on motion of Mr. TINSLEY, laid on the table.

No. 96. House bill for the protection of fish in the waters of the commonwealth above tide-water, came up.

The motion entered by Mr. WADDILL to reconsider the vote by which an amendment offered by himself was rejected, came up.

The motion by Mr. WADDILL was rejected.

Mr. HAY moved to amend the bill by adding at the end of the 7th section the following: "Provided that none of the provisions of this act shall apply to any waters in the counties of Madison and Greene"; which was rejected.

On motion of Mr. TYLER of *Richmond city*, the bill was amended by adding at end of 7th section the following: "Provided that this act shall not apply to the falls and rapids of James river below Bosher's dam."

On motion of Mr. CARDWELL, the bill was amended by adding at end of 1st section the following: "Provided that nothing in this section shall apply to the Pamunky and Mattaponi rivers or their tributaries."

Mr. SILVER moved to amend the bill by adding at end of 7th section the words, "Or the county of Frederick."

Mr. CATLETT moved to amend the amendment offered by Mr. SILVER by adding the counties of "Charlotte, Campbell, Spotsylvania, Pittsylvania, Loudoun and Fluvanna"; which was rejected—yeas 33; nays 44.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Barbour, Carter, Catlett, Coleman, Counts, Craft, Crismond, Dupuy, Ewell, Flood, Graves, Hay, Herbert, Huffman, Hunter, Jones, Kincheloe, Loving, Mustain, Overby, Parr, Pollard, Ryan, Silver, Simpson, Smith, Terrell, Tinsley, Watkins, West, Wilkins and Wright—33.

NAYS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Ash, Bristow, Buford, Corbett, Crawford, Curtis, Dabney, Daingerfield, Dickey, Echols, Edmondson, Elam, Evans, Figgatt, Herring, Hobson, Johnson, Martin, McCandlish, McClintic, McKee, J. E. Moore, William L. Moore, Morton, Perkins, Phillips, Pilcher, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Spencer, Starke, R. H. Tyler, Waddill, Webb and Williams—44.

Mr. HAY moved to lay the bill on the table; which was rejected.

Mr. WATKINS moved to amend the amendment offered by Mr. SILVER by adding, "The county of Halifax"; which was rejected.

The amendment offered by Mr. SILVER was rejected.

Mr. ANDERSON of *Rockbridge* moved to reconsider the vote by which the amendment offered by Mr. SILVER was rejected; which motion was rejected.

On motion of Mr. FIGGATT, the bill was amended by striking out, in the 7th and 8th lines, the words "any of the waters emptying into Tennessee or Kentucky or to."

Mr. HUFFMAN moved to amend the bill by inserting in the 6th line of 1st section, after the word "than" the words, "With a spear or gig or"; which was rejected.

Mr. MCCANDLISH moved to recommit the bill; which motion was rejected.

Mr. PEDIGO moved to amend the bill by adding at the end of the 7th section the words, "Or the water of the Dan river above Danville"; which was rejected.

Mr. ECHOLS moved the pending question, which was ordered.

Mr. HAY moved to reconsider the vote by which the pending question was ordered; which motion was rejected.

The question being on ordering the bill, as amended, to be engrossed to be read a third time, was put and decided in the negative—yeas 37; nays 42.

On motion of Mr. PEDIGO, the vote was recorded as follows:

YEAS—Messrs. W. A. Anderson, Ash, Bristow, Goodman Brown, Buford, Carter, Corbett, Counts, Crawford, Curtis, Dabney, Daingerfield, Edmondson, Elam, Evans, Figgatt, A. W. Harris, J. S. Harris, Hobson, Johnson, Martin, McClintic, J. E. Moore, Wm. L. Moore, Morton, Perkins, Phillips, Pollard, Roane, E. L. Roberts, J. Roberts, Sanger, Scott, Smith, Waddill, Webb and Young—37.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, Barbour, Catlett, Craft, Crismond, Dickey, Dupuy, Echols, Edwards, Ewell, Graves, Hay, Herbert, Huffman, Hunter, Jones, Kincheloe, McKee, McNeil, Mustain, Overby, Parr, Pedigo, Pilcher, Porter, Riner, Ryan, Sebrell, Silver, Simpson, Starke, Terrell, Treat, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—42.

Mr. WATKINS moved to reconsider the vote by which the House refused to order the bill to be engrossed.

Mr. FIGGATT moved to pass by the motion to reconsider; which was rejected.

Mr. BUFORD moved the pending question, which was ordered.

The motion by Mr. WATKINS to reconsider, was agreed to—yeas 45; nays 29.

On motion of Mr. PEDIGO, the vote was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Ash, Baskerville, Bristow, Goodman Brown, Buford, Carter, Corbett, Counts, Crawford, Curtis, Dabney, Daingerfield, Echols, Edmondson, Elam, Evans, Figgatt, A. W. Harris, J. S. Harris, Herring, Hobson, Huffman, Hunter, Loving, J. E. Moore, Morton, Perkins, Pollard, Riner, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Smith, Spencer, Terrell, Lyon G. Tyler, Waddill, Webb, Wilkins and Young—45.

NAYS—Messrs. Allensworth, D. W. Anderson, Catlett, Craft, Crismond, Dickey, Dupuy, Ewell, Graves, Hay, Jones, Johnson, Kincheloe, McKee, McNeil, Mustain, Overby, Parr, Pedigo, Pilcher, Porter, Ryan, Silver, Simpson, R. H. Tyler, Watkins, West, Williams and Wright—29.

The question recurring on ordering the bill to be engrossed,

Mr. ANDERSON of *Rockbridge* moved to amend the bill by adding at end of the 1st section the following: "Or to forbid the catching of suckers, carp, cat-fish, eels or mullets from fish-ponds or mill-ponds, in any of the counties of this State, or to the catching of any fish in the waters of the Dan and Staunton rivers and their tributaries below the Blue Ridge."

Pending which,

On motion of Mr. HAY, the bill was passed by.

On motion of Mr. DUPUY, the House adjourned until to-morrow at twelve o'clock M.

WEDNESDAY, FEBRUARY 1, 1888.

On motion of Mr. TREAT, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, January 31, 1888.

The Senate have passed Senate bills entitled an act to relieve the Baltimore, Cincinnati and Western railway company from any forfeiture which may have accrued from failure to commence and complete its road within the time limited in its act of incorporation, and to reinvest the said company with all the powers, privileges and franchises granted by said act, approved March 8, 1880, entitled an act to incorporate the Baltimore, Cincinnati and Western railway company, and for other purposes, No. 141; an act to authorize the county court of Pittsylvania to inquire into the propriety of relieving the estate of Hartwell Farmer, deceased, from an amount of delinquent taxes erroneously paid by the administrator of said decedent, No. 187; an act entitled an act to incorporate the James River Valley construction company, No. 99; an act entitled an act to incorporate the Nelson manufacturing company, No. 121; an act entitled an act to incorporate the West Norfolk land and improvement company, No. 92; an act entitled an act granting the superintendent of any fair grounds or cemetery the same powers as a constable for certain purposes, in such fair grounds or cemetery, No. 76; an act entitled an act extending the time to James M. Booth, treasurer of Northumberland county, for the collection of certain taxes and levies, No. 202; an act to amend and re-enact the act approved May 6th, 1887, entitled an act to incorporate the Mineral railroad company, No. 22; and an act to incorporate the Danville and Great Western railroad company, No. 20; in which bills they respectfully request the concurrence of the House of Delegates.

Nos. 20, 92, 22 and 141. Senate bills, were read twice and referred to the committee on roads and internal navigation.

Nos. 187 and 202. Senate bills, were read twice and referred to the committee on finance.

No. 76. Senate bill, was read twice and referred to the committee for courts of justice.

No. 121. Senate bill, was read twice and referred to the committee on propositions and grievances.

No. 99. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. HOBSON, requiring its reference to a committee.

No. 136. House bill entitled an act to amend and re-enact an act to provide for the removal of obstructions from the Chickahominy river, and to punish the obstruction of the same, with an amend-

ment of the Senate to the title, was placed on the calendar, the rule having been suspended, on motion of Mr. ECHOLS, requiring its reference to a committee.

The following Senate bills were reported from the committee on counties, cities and towns:

No. 237. Senate bill entitled an act to allow the Charlottesville and University of Virginia electric light and gas company to locate its poles and wires in, along and through the streets and alleys of the town of Charlottesville.

No. 174. Senate bill entitled an act for the protection of deer in the counties of Shenandoah and Frederick.

No. 178. Senate bill entitled an act for the protection of deer in the counties of Page and Hanover, with amendments.

No. 170. Senate bill to incorporate the Montrose land and improvement company, was reported from the committee on propositions and grievances, with an amendment.

No. 262. House bill to regulate commerce in the State of Virginia, reported from the committee on roads and internal navigation, was read a first time.

The following House bills, reported from the committee on federal relations and resolutions, were read a first time:

No. 263. House bill to give consent of this State to the purchase, by the United States, of certain real estate in the county of Norfolk, and exempting the same from taxation.

No. 264. House bill giving the consent of this State to the purchase, by the United States, of a lot of land in the city of Portsmouth for the use of the light-house board.

No. 265. House bill providing for the appointment of attorneys in the matter of the direct tax levied and collected from citizens of Virginia, under an act of Congress, approved August 5, 1861.

No. 266. House bill to distribute and pay out certain moneys paid by the citizens of Virginia as direct taxes, under an act of Congress, approved August 5, 1861.

The following House bills, reported from the committee on schools and colleges, were read a first time:

No. 267. House bill to constitute the town of Salem and adjoining territory a separate school district.

No. 268. House bill to establish a normal school at William and Mary college, in connection with its collegiate course (with a recommendation that it do not pass).

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 269. House bill to require the county judge of Greensville county to submit the question of continuing or repealing the fence law to the qualified voters of Belfield magisterial district in said county, upon certain conditions.

No. 270. House bill to provide for the more efficient collection of road fines in the county of Fluvanna.

No. 271. House bill to amend the charter of the city of Staunton.

No. 272. House bill to work and keep in order the public roads in the county of Pittsylvania.

No. 273. House bill to amend and re-enact the charter of the town of Waynesboro as approved April 28th, 1874, and amended March 15th, 1875.

No. 274. House bill to allow the voters in Carrolton precinct, Isle of Wight county, to vote on the adoption of the no-fence law.

No. 275. House bill authorizing a special election to be held in Warren county to ascertain the sense of the voters upon the subject of the erection of certain bridges across the Shenandoah run, and to issue the bonds of the county to raise money therefor.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 276. A bill to provide for the adoption of children and inheritances by and for them.

No. 277. A bill to prohibit county and circuit court clerks from practicing law in the courts of their counties.

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 278. House bill to amend the game law of 1883–'4.

No. 279. House bill to incorporate the Southern guarantee and trust company.

No. 280. House bill to amend and re-enact sections 2 and 3 of an act passed January 23, 1861, entitled an act amending and re-enacting the act entitled an act to incorporate the Jackson orphan asylum of Norfolk, passed February 26, 1856.

No. 281. House bill to incorporate the Jefferson fishing, sporting and yacht club.

No. 282. House bill to incorporate the Virginia printing and lithographing company.

Mr. CARDWELL, under a suspension of the rules, presented

No. 283. House bill to amend sections 1192 and 1196 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, which was read a first time.

Mr. DUPUY, under a suspension of the rules, presented

No. 284. House joint resolution requesting the representatives from Virginia in the Congress of the United States to urge an appropriation for the establishing of a beet-sugar manufactory at Farmville, Va., which was read a first time.

Mr. ALLENSWORTH, under a suspension of the rules, presented

No. 285. House bill supplementary to the laws now in force for working the roads and repairing and building bridges in the county of Caroline, which was read a first time.

Mr. TREAT, from the committee on privileges and elections, presented a minority report in the contested election case of J. E. Kilgro against G. W. Leggett, of Princess Anne, as follows:

The undersigned, members of the committee on privileges and elections, being unable to agree with the conclusion arrived at by a

majority of the committee, beg leave to submit the following report:

George W. Leggett was returned as the duly elected member of the House of Delegates from the county of Princess Anne by a majority of only two (2). To obtain this result a majority of 60 was given him at Princess Anne Courthouse. At that precinct only 154 votes were returned as given for his opponent, the contestant, James E. Kilgro; whereas Kilgro actually received, according to the evidence taken in this case, 188 votes, which is verified by the individual sworn testimony of the 188 voters themselves, and further corroborated by one J. T. Brown, who was the only ticket-holder at that precinct for the Republican party on the 8th day of November, from whom these witnesses testify they received their ticket. The testimony of J. T. Brown is positive that he issued no tickets that day except those which had the name of James E. Kilgro on them. Of the 188 witnesses examined, 36 were intelligent white citizens; the remaining 152 were colored, of whom 82, who could read and write, testified positively that they voted for James E. Kilgro. The remaining 69 colored witnesses, who could not read nor write, base their testimony on the fact that J. T. Brown was the only ticket-holder, and in many instances these tickets were reread by friends of the voters to satisfy them that they were voting the Republican ticket with the name of James E. Kilgro on it. This evidence is further supplemented by Daniel Harris, who kept a tally-sheet of the colored vote, and swears positive to at least 140 of the 152 colored voters having voted for James E. Kilgro. Coupled with this evidence, which stands uncontroverted, the evidence of the 69 uneducated voters is conclusive.

Had these votes been counted at this precinct as they were cast, James E. Kilgro would have received a majority of 8, which would have given him a majority of 66 from the county of Princess Anne.

But if the vote at that precinct were thrown out, as we think it should be, on account of the most glaring frauds practiced by the judges of election, which the evidence fully sustains, although it was not only possible, but easily practicable, to appoint a Republican judge, James E. Kilgro would be elected by a majority of 58. We shall confine ourselves mainly to this precinct, because the evidence taken to sustain the charges of fraud at Kempsville precinct was interrupted before completion by reason of the time having expired for the taking of depositions.

The fact that the law prohibits those other than the judges and clerks of election from being present at the time of opening the ballot-box and counting the ballots to ascertain whether they correspond with the number of names on the poll-books, compels us to rely exclusively upon the testimony of the judges and clerks, all of whom belonged to and affiliated with the Democratic party.

It is in the evidence undisputed that immediately representatives from each political party were admitted to the room to witness the

canvassing of the votes; that a piece of paper was picked up (Exhibit A., page 289) which shows that a computation had been made, and that the figures so used on the paper is but additional proof of the fraud. The evidence of A. E. Kellam (page 287), and further corroborated by that of E. V. Atwood (page 286), J. H. Caffee (page 283), and L. J. E. Kellam (page 280), is so concise as that to our minds it leaves no room to doubt the fraud.

Contestee, through the aid of counsel and one witness, attempts to explain this by the fact that the Republican ballot being of a different size from the Democratic ballots, that the calculation was made on that scale.

The evidence of Moses C. Shipp (page 270), a Democratic judge, on cross-examination:

Question.—Did you take any (ballots) out yourself, and how many?

Answer.—I could not tell how many; we were all taking out together one at a time.

This evidence not being refuted but makes the case more strongly confirmative that the calculation was not attained during the process of the verification of the poll-books, as all the judges were taking from the ballot-box at the same time.

But the testimony of Wm. L. Brown (page 264 and 265), one of the Democratic clerks of election, proves conclusively that the fraud was then consummated.

Upon being cross-examined twice, he at each time reiterated the statement, that all the ballots were opened before the representatives from the different political parties were admitted, while Moses C. Shipp further testifies that the ballots were not laid in piles.

As to Kempsville precinct, while the frauds are equally as glaring, the testimony of Miles Freeman (page 217, 218, 219), the duly appointed Republican judge of election for that precinct, is that he arrived at the voting place before sunrise and went into the room for the purpose of being sworn in as a judge. No votes having been cast at that time, and it being before or at sunrise, that he was told by one of the Democratic judges, Mr. Baxter, that he didn't need him and to "get out," and having sworn in another judge who was a Democrat, in defiance of the law, and against the request of the duly appointed Republican judge who was there in the time prescribed by law. We maintain that the evidence makes the demand in this case imperative; that the charges of fraud having been sustained at the Courthouse precinct, and on account of the gross irregularities which existed at the Kempsville precinct, are such that the vote of both precincts should be thrown out, which would give James E. Kilgro a majority to a seat in this body from the county of Princess Anne.

The following resolutions are respectfully submitted:

Resolved, That Geo. W. Leggett is not entitled to a seat in this body from the county of Princess Anne.

Resolved, That James E. Kilgro is entitled to a seat in this body from the county of Princess Anne.

MORGAN TREAT,
J. B. WEBB,
RO. M. MAYO,
B. BASKERVILLE, JR.,
L. C. BRISTOW.

On motion of Mr. TREAT, the minority report was passed by and ordered to be printed.

A report from the committee on privileges and elections in the contested election case of D. R. Love against J. W. Overby, of the county of Lunenburg, as follows:

To the House of Delegates:

The committee on privileges and elections, to whom was referred the contested election case from the county of Lunenburg, in which D. R. Love is contestant for the seat now occupied in this body by J. W. Overby, respectfully report as follows:

At the general election, held November 8, 1887, for member of the House of Delegates for the county of Lunenburg, Mr. Overby, the sitting member, was the candidate of the Democratic party, and Mr. D. R. Love the candidate of the Republican party.

The county of Lunenburg had nine voting precincts, and the votes actually cast at them were as follows:

	Overby.	Love.
Courthouse, - - -	67	125
Knight & Oliver's, - - -	44	61
Brown's Store, - - -	171	172
Pleasant Grove, - - -	115	98
Rehobeth, - - - -	67	68
Plantersville, - - -	80	23
Meherrin, - - - -	41	43
Haskins' Store, - - -	122	111
Columbian Grove, - - -	102	119
	809	820

So that, upon the vote actually cast, Mr. Love, the contestant, was elected by 11 majority.

When the board of county canvassers assembled to canvass the returns from the various precincts, all the returns were found satisfactory to them except those from Columbian Grove precinct.

The returns from that precinct were informal in the following particulars: The oaths taken by the judges and clerks were

signed, but not attested by any person, and the certificate of votes cast for the several candidates was not signed by any of the judges or clerks.

The county board of canvassers summoned the judges and clerks to appear before them and correct their returns. The judges and one of the clerks did appear before the board of canvassers, but for some reason satisfactory to themselves they would not sign the returns, and the board of canvassers then proceeded to canvass the returns from the other precincts, which footed up 707 votes for the sitting member, and 701 votes for Mr. Love, which was duly certified, and the certificate was issued to Mr. Overby.

Mr. Love contested, and we are clearly of the opinion, from the evidence in the cause, that he is entitled to have the poll at the Columbian Grove precinct counted in his favor. It is unnecessary to discuss the action of the judges and clerks at Columbian Grove precinct in first failing to make proper returns and then refusing to put their returns in proper shape. They were all duly sworn, but it is claimed by them that their action in failing to certify the returns in due form in the first instance was through inadvertence, and not from design. The reason assigned by them for refusing to correct their returns when called upon to do so was that some question had been raised after the election as to whether they were the lawful judges. It appears that on the morning of the election one or more of the regularly appointed judges at the precinct were not present at sunrise, and that the judges who acted were sworn in, and proceeded with the election before an hour after sunrise had elapsed. Of the three judges and two clerks who acted four were friends of Mr. Overby. There is not only no sufficient evidence that any fraud was practiced there, but the concurrent testimony of all parties is to the effect that the votes were honestly received, cast and counted at this precinct, and that, in truth and in fact, Mr. Love received at that precinct 119 votes and Mr. Overby 102. The men who give this statement are not partisans of Mr. Love. They are, without exception, his political opponents.

There was some testimony to the effect that persons other than the election officers were admitted into the voting place during the day, and that an outsider aided in the count of the ballots. Exactly at what stage of the count this was done was not clear, but it seems that it was done after the first count was had and two ballots had been drawn out to make the ballots tally with the polled list of voters. The ballots drawn out were both for Mr. Love; and afterwards, there being two ballots folded together, they were destroyed and a third ballot was drawn, it also being a loss to Mr. Love. But there was no serious attempt in any of the testimony taken to cast a doubt upon the truth of the vote as it was counted, and the witnesses who mentioned these irregularities refused, without exception, to say that they believed or had any reason to believe that any fraud or irregularity was practiced at the precinct.

The action of the judges in allowing any person other than themselves to handle or count the ballots cannot be too strongly condemned, and if there was evidence tending to prove that fraud was committed by such person, we should refuse to count the vote at the precinct. But in the absence of such evidence we do not feel authorized to reject the poll on that ground.

The other and more serious question, raised in the record, is as to the effect upon the election of the acting of judges not regularly appointed or authorized to act as such. While it is not claimed that these judges were such *de jure*, it is insisted that they were not mere usurpers, whose acts would be void, but judges *de facto*, whose acts must be respected as binding upon the public and upon individuals.

The decisions of the courts, with one voice, hold that the validity of the acts of officers of election, who are such *de facto* only, are binding and conclusive. McCrary on Elections, section 79, and cases there cited. But the decisions in Congress, previous to 1870, have been by no means uniform, and many cases may be found where the poll of an election precinct was rejected on the ground that the judges of election were not such *de jure*. Since that date, however (1870), the question has frequently arisen, and the House of Representatives has uniformly decided according to the rule laid down by the courts, even in cases where the application of the rule, seated or unseated, as the case might be, a political opponent. In the case of Eggleston *vs.* Strader (2 Bartlett, 897), decided without division in favor of a member of the minority, the unanimous report of the committee states the law on this subject, as follows: "But the contestant claims that Fiedelday was not an officer, or judge *de facto*, and his counsel has made an ingenious argument before the committee, on the ground that Fiedelday was an intruder or usurper, without color of right, basing his argument largely upon the view that there was no vacancy in the office of judge of elections, and that there is no such officer known in Ohio as temporary judge. But he seems for the time to lose sight of the distinction between an officer *de facto* and an officer *de jure;* and some of the cases he cites relate to the question as to an officer *de jure* and not *de facto*. It takes but little to constitute an officer *de facto* as affects the right of the public. The exercise of apparent authority under color of right, thus inviting public trust, and negativing the idea of usurpation, is sufficient."

In the case before us there was no protest of any voter that the persons acting as judges were not authorized to act as such. Everybody, even the legally-appointed judges themselves, not only acquiesced, but fully recognized them as proper officers, and one of the legally appointed judges, who no doubt with that object in view, as the evidence shows, was an active worker at the polls for Mr. Overby. There is no claim that the acting judges were unfair in conducting the election, or in ascertaining the result. If there had been any protest to their acting made by even a few of the voters, or if there was evidence tending even to show unfairness to the sitting member, or acts of partisanship for the contestant, we would be slow to count

the precinct for him. If the votes of citizens are freely and fairly given at the time and place prescribed by law, to judges universally recognized by them as competent officers of election, the intent and design of the election is accomplished. The will of the electors, thus expressed, is not to be defeated, but effectuated, by giving the office to the majority candidate.

We are, therefore, constrained to conclude on reason and authority that the vote at Columbian Grove precinct must be counted.

The sitting member, when notified of the contest, filed an answer, in which, besides resisting the contestant's claim to have the vote cast at Columbian Grove counted, he made counter charges as to Brown's Store precinct. He claimed that contestant or his friends at that precinct "fraudulently and with the intention to deceive the voters and to defraud me (him), handed a number of voters at least ten ballots, representing that they contained my (his) name when they contained yours (Love's), and were thus fraudulently induced to vote for you (Love)." As specification of this charge, he alleged that contestant had cut down the Republican tickets to the size of the Democratic tickets, and deceived at least ten voters. He also charged that contestant or his friends had deceived at least three of his (Overby's) friends into voting blank tickets, believing they were voting for him.

After the case had been argued upon the evidence contained in the printed record, the contestee, Mr. Overby filed an affidavit in which he stated substantially that he had been unable to examine four witnesses during the time allowed by law for the taking of testimony, by reason of the unnecessary consumption of time by Mr. Love's counsel in taking exceptions and arguing the same before the justice or notary taking the evidence; and also stated that by these four witnesses he might have shown, and could now show, at least six voters who, voted at the Brown's Store precinct, were deceived by Mr. Love and his friends, and induced to vote for Mr. Love by means of the cut or clipped tickets, whereas they intended to vote for Mr. Overby. While some of the committee contended that no additional testimony should be allowed, yet a majority were clearly of opinion that an opportunity, under the circumstances, ought to be allowed the contestant to take further testimony, and show fraud if such, in fact, existed. After the allowance of the most ample time and a delay of two weeks, during which a large mass of testimony was taken for the contestee as well as for the contestant, your committee resumed the consideration of the case, and, after a careful examination of the evidence adduced, are constrained to say that it does not establish the allegation of fraud. The judges of election say with one voice that they know of no fraud or deception practiced upon any voter, and that they do not believe that any was committed. Mr. J. T. Tisdale, the Democratic nominee for the Senate in the Twenty-eighth senatorial district, states that he was present at the Brown's Store precinct on the day of election, and says that he knows of nothing, and has heard of noth-

ing, that induces him to believe that voters were deceived at the precinct by the use of the cut or clipped tickets, and that he fully concurs in what was said by W. L. Bridgforth, one of the judges of election, to the same effect. Mr. Bridgforth is shown by the evidence to be a man of intelligence and of the highest character. Not one of the voters alleged to have been deceived is introduced to sustain the charge except Julius Garland, and the evidence in regard to whether he was, in fact, deceived, though he says he was, is wholly unsatisfactory. Mr. Tisdale is evidently of opinion that Julius Garland was not himself deceived, but that he was seeking to deceive Mr. Overby, while he purposely voted for Mr. Love. Mr. Tisdale says that Garland had lived with him for a number of years and that he was "the most unmitigated liar he had ever seen."

It is proved that Mr. Love was seen on election day to trim some of his tickets down to the size of the Democratic tickets. This he had a right to do. It was proved that the Republican tickets were longer and wider than the Democratic tickets. Unless Mr. Love was fixing these tickets to deceive voters, a fact which is not necessarily presumed from the simple act of trimming them, and unless he actually did deceive voters with them, it is a matter of which Mr. Overby could not complain.

Fraud cannot be presumed, it must be clearly proved. In this case, after examining all of the testimony taken by the sitting member, and waiving all technicalities in his favor, and giving it all the effect it can possibly have, it utterly fails to establish the charge of fraud made in his answer.

We therefore recommend the adoption of the following resolutions:

1. That J. W. Overby, the sitting member, is not entitled to a seat in this body.

2. That D. R. Love is entitled to a seat in this body, as delegate from the county of Lunenburg.

Respectfully reported,

HENRY R. POLLARD, *Chairman.*

On motion of Mr. POLLARD, the report was passed by and ordered to be printed.

No. 90. House bill to amend and re-enact section 1 of an act entitled an act to prohibit the use of pound nets and purse nets in the waters of James and Chickahominy rivers below tide-water, approved May 16, 1887, was, on motion of Mr. STARKE, taken up from the table.

The bill was placed on the calendar.

Mr. DUPUY offered the following resolution:

Resolved, That the superintendent of public printing shall furnish each member of the House of Delegates with a pad of letter paper and two packages of envelopes, with "House of Delegates" printed on each.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. SAUNDERS moved to reconsider the vote by which the resolution was agreed to; which motion was agreed to—yeas 53; nays 26.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Barbour, Buford, Catlett, Corbett, Counts, Craft, Crawford, Dabney, Daingerfield, Edmondson, Elam, Ewell, Gordon, Graves, J. S. Harris, Hay, Herbert, Herring, Huffman, Hunter, Johnson, Kincheloe, Leggett, McKee, Montague, J. E. Moore, Morton, Perkins, Phillips, Pilcher, Pollard, Porter, E. L. Roberts, J. Roberts, Sanger, Scott, Sebrell, Silver, Simpson, Smith, Spencer, Starke, Tinsley, Lyon G. Tyler, Webb, West, Williams, Wright and Young—53.

NAYS—Messrs. Arnold, Ash, Baskerville, Bristow, Goodman Brown, Coleman, Crismond, Curtis, Dupuy, Echols, Edwards, Figgatt, Flood, A. W. Harris, Jones, McCandlish, Wm. L. Moore, Mustain, Overby, Parr, Pedigo, Robinson, Saunders, Treat, R. H. Tyler and Wilkins—26.

The question recurring on agreeing to the resolution, was put and decided in the negative.

The following were presented and referred under Rule 37:

By Mr. FLOOD: A bill to amend and re-enact an act approved July 26th, 1882, entitled an act to amend and re-enact an act entitled an act to amend and re-enact an act approved January 26th, 1877, entitled an act to amend section 58, Code of 1873, in regard to admission to the public free schools, approved January 14th, 1878. Referred to the committee on schools and colleges.

By Mr. SAUNDERS: A bill to empower the trustees of district school board of Gills' creek school district, Franklin county, to use any surplus county public shool funds belonging to said district, for the purpose of purchasing or erecting buildings for school purposes, or discharging any indebtedness of the said district. Referred to the committee on schools and colleges.

By Mr. CARDWELL: A bill to prescribe in what banks the money of the State may be kept. Referred to the committee on banks, currency and commerce.

By Mr. ELAM: A bill to provide State convicts free to counties to work on public roads, to provide further employment for said convicts, and to repeal an act entitled an act to employ convict labor on county roads and other works of internal improvement, approved March 6, 1886. Referred to the committee on asylums and prisons.

By Mr. PARR: A bill to amend and re-enact section 1 of an act approved March 10, 1884, entitled an act to amend and re-enact section 1 of an act approved April 14, 1882, entitled an act to amend and re-enact an act passed March 3, 1880, entitled an act to amend and re-enact an act passed April 2, 1879, authorizing the board of supervisors to determine what amount shall be paid to certain county officers. Referred to the committee on counties, cities and towns.

By Mr. ROBINSON: A bill to prevent persons catching oysters in the waters of James river with tongs longer than twenty feet. Referred to the committee on Chesapeake and its tributaries.

By Mr. BROWNE of *Nansemond:* A bill to authorize R. H. Atkinson to erect a pier or wharf on his oyster grounds on Chuckatuck creek. Referred to the committee on Chesapeake and its tributaries.

By Mr. BUFORD: A bill to incorporate the Newport News, Hampton and Old Point Comfort telephone company. Referred to the committee on propositions and grievances.

By Mr. COUNTS: A bill to regulate the construction of railroads through mountain passes and defiles. Referred to the committee on roads and internal navigation.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 244. House bill appropriating the public revenues for the fiscal years 1888 and 1889, was, on motion of Mr. BUFORD, taken up out of its order on the calendar.

On motion of Mr. BUFORD, the bill was recommitted to the committee on finance.

No. 149. House bill to incorporate the savings bank of the Grand Fountain united order true reformers, was, on motion of Mr. ASH, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

The amendments of the Senate to the following House bills were agreed to:

No. 121. House bill entitled an act for the relief of Bethel Presbyterian church, Shenandoah Presbyterian church and St. John's German Reformed church in Augusta county.

No. 73. House bill entitled an act to amend and re-enact section 1 of chapter 155 of Acts 1884, extra session, entitled an act to amend and re-enact section 1 of an act entitled an act for making and repairing division fences between coterminous land owners in the counties of Alleghany, Bath, Botetourt, Highland, Rockbridge, Loudoun, Frederick, Nelson, Clarke, Pittsylvania, Carroll, Craig, Rockingham and Scott, approved March 6, 1882, and as amended and re-enacted by an act approved April 14, 1882.

No. 57. House bill entitled an act authorizing the counties of Cumberland and Powhatan to change the form of bonds subscribed to the Farmville and Powhatan railroad company.

No. 136. House bill entitled an act to amend and re-enact an act entitled an act to provide for the removal of obstructions from the Chickahominy river, and to punish the obstruction of the same.

Motions severally made to reconsider the votes by which the several amendments of the Senate to House bills Nos. 121, 73 and 136 were agreed to, were rejected.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. SAUNDERS moved to reconsider the vote by which the resolution was agreed to; which motion was agreed to—yeas 53; nays 26.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Barbour, Buford, Catlett, Corbett, Counts, Craft, Crawford, Dabney, Daingerfield, Edmondson, Elam, Ewell, Gordon, Graves, J. S. Harris, Hay, Herbert, Herring, Huffman, Hunter, Johnson, Kincheloe, Leggett, McKee, Montague, J. E. Moore, Morton, Perkins, Phillips, Pilcher, Pollard, Porter, E. L. Roberts, J. Roberts, Sanger, Scott, Sebrell, Silver, Simpson, Smith, Spencer, Starke, Tinsley, Lyon G. Tyler, Webb, West, Williams, Wright and Young—53.

NAYS—Messrs. Arnold, Ash, Baskerville, Bristow, Goodman Brown, Coleman, Crismond, Curtis, Dupuy, Echols, Edwards, Figgatt, Flood, A. W. Harris, Jones, McCandlish, Wm. L. Moore, Mustain, Overby, Parr, Pedigo, Robinson, Saunders, Treat, R. H. Tyler and Wilkins—26.

The question recurring on agreeing to the resolution, was put and decided in the negative.

The following were presented and referred under Rule 37:

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By Mr. ROBINSON: A bill to prevent persons catching oysters in the waters of James river with tongs longer than twenty feet. Referred to the committee on Chesapeake and its tributaries.

By Mr. BROWNE of *Nansemond:* A bill to authorize R. H. Atkinson to erect a pier or wharf on his oyster grounds on Chuckatuck creek. Referred to the committee on Chesapeake and its tributaries.

By Mr. BUFORD: A bill to incorporate the Newport News, Hampton and Old Point Comfort telephone company. Referred to the committee on propositions and grievances.

By Mr. COUNTS: A bill to regulate the construction of railroads through mountain passes and defiles. Referred to the committee on roads and internal navigation.

The morning hour having expired, the House proceeded to the business on the calendar.

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The bill was read a second time and ordered to be engrossed to be read a third time.

The amendments of the Senate to the following House bills were agreed to:

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No. 57. House bill entitled an act authorizing the counties of Cumberland and Powhatan to change the form of bonds subscribed to the Farmville and Powhatan railroad company.

No. 136. House bill entitled an act to amend and re-enact an act entitled an act to provide for the removal of obstructions from the Chickahominy river, and to punish the obstruction of the same.

Motions severally made to reconsider the votes by which the several amendments of the Senate to House bills Nos. 121, 73 and 136 were agreed to, were rejected.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate had agreed to House joint resolution appointing a joint committee to investigate the cause of the recent fire at the penitentiary.

No. 57. Senate bill entitled an act to provide for the payment of fees due B. F. Bland and Maryus Jones for professional services rendered the board of the Chesapeake and its tributaries in protecting the oyster interests of the State, came up.

The motion made by Mr. POLLARD to reconsider the vote by which the bill was rejected, was agreed to—yeas 57; nays 27.

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Bristow, Goodman Brown, Buford, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, J. S. Harris, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Mayo, McClintic, McKee, J. E. Moore, Wm. L. Moore, Morton, Overby, Pedigo, Pilcher, Pollard, Porter, Roane, J. Roberts, Saunders, Sebrell, Simpson, Smith, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler, West, Wilkins and Williams—57.

NAYS—Messrs. Ash, Baskerville, John A. Browne, Carter, Craft, Elam, Flood, Hay, Herring, Jones, Martin, McCandlish, McNeil, Montague, Mustain, Parr, Perkins, Phillips, Riner, E. L. Roberts, Ryan, Sanger, Scott, Spencer, Treat, Webb and Young—27.

The question recurring on the passage of the bill,

Mr. CURTIS moved to amend the bill by striking out "$250.00 each" and inserting "$100.00 each;" which was rejected.

The bill was rejected—yeas 45; nays 35.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Barbour, Bristow, Goodman Brown, John A. Browne, Buford, Catlett, Corbett, Counts, Crismond, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, Herbert, Hobson, Huffman, Hunter, Kincheloe, Leggett, Loving, Mayo, McKee, J. E. Moore, Morton, Overby, Pollard, J. Roberts, Scott, Sebrell, Simpson, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill and Wilkins—45.

NAYS—Messrs. Arnold, Ash, Carter, Crawford, Curtis, Elam, A. W. Harris, J. S. Harris, Hay, Herring, Jones, Johnson, Martin, McCandlish, McNeil, Montague, Mustain, Parr, Pedigo, Perkins, Phillips, Porter, Riner, E. L. Roberts, Robinson, Ryan, Sanger, Smith, Spencer, Treat, Webb, West, Williams, Wright and Young—35.

The hour of one o'clock P. M. having arrived, special order,

No. 162. House bill, was, on motion of Mr. HAY, postponed until to-morrow.

Special order,

No. 163. House bill, was, on motion of Mr. HAY, postponed until to-morrow.

Special order,

No. 152. House bill to provide for a board of agriculture of Virginia and making appropriation therefor, was read a second time.

Mr. DUPUY offered an amendment in the nature of a substitute.

Mr. FIGGATT moved to amend the substitute by striking out the 8th, 9th and 10th sections; which was rejected—yeas 15; nays 52.

On motion of Mr. ARNOLD, the vote was recorded as follows:

YEAS—Messrs. Edmondson, Figgatt, Huffman, Jones, McClintic, McNeil, Porter, Riner, Ryan, Saunders, Starke, Treat, West, Williams and Young—15.

NAYS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Barbour, Bristow, Goodman Brown, Buford, Carter, Catlett, Coleman, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Ewell, Flood, Gordon, Graves, J. S. Harris, Hay, Herring, Hobson, Hunter, Johnson, Kincheloe, Leggett, McKee, Montague, Morton, Mustain, Overby, Pedigo, Perkins, Phillips, Pilcher, J. Roberts, Robinson, Sanger, Scott, Sebrell, Simpson, Spencer, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Webb and Wright—52.

Mr. KINCHELOE moved to reconsider the vote by which the amendment was rejected; which motion was rejected.

Mr. PEDIGO moved to amend the substitute by striking out in the 5th and 6th lines of the 1st section the words, "to be appointed by the governor," and inserting in lieu thereof the words, "to be elected by the people;" which was rejected—yeas 21; nays 46.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Bristow, Goodman Brown, Corbett, Craft, Daingerfield, Dickey, Jones, McCandlish, McNeil, Montague, Pedigo, Porter, Riner, Robinson, Sanger, Scott, Treat, Waddill, Webb, Wright and Young—21.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Buford, Carter, Catlett, Coleman, Counts, Crawford, Curtis, Dabney, Dupuy, Echols, Edmondson, Ewell, Figgatt, Flood, Graves, J. S. Harris, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, McKee, J. E. Moore, Morton, Mustain, Overby, Perkins, Phillips, Pilcher, E. L. Roberts, J. Roberts, Sebrell, Silver, Simpson, Smith, Lyon G. Tyler, R. H. Tyler, West and Williams—46.

On motions severally made by Mr. CARTER, the substitute was amended as follows:

Fourth section, 9th line, after the word "statistics," insert, "Pertaining to agriculture."

Sixth section, 3d line, after "institute," insert, "Industrial statistics pertaining to agriculture."

Pending the further consideration of the bill,

On motion of Mr. WEST, the House adjourned until to-morrow at twelve o'clock M.

THURSDAY, FEBRUARY 2, 1888.

On motion of Mr. PILCHER, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 1, 1888.

The Senate have passed Senate bills entitled an act to provide for the working and keeping in repair the public roads and bridges of Page county, for opening new roads and changing the location of existing roads, No. 311; and an act to incorporate the Loudoun county and Frederick bridge company for the purpose of constructing a bridge at Point of Rocks, in Frederick county, Maryland, across the Potomac river to Loudoun county, Virginia, No. 288; in which bills they respectfully request the concurrence of the House of Delegates.

No. 288. Senate bill, was read twice and placed on the calendar, the rule having been suspended, on motion of Mr. HAY, requiring its reference to a committee.

No. 311. Senate bill, was read twice and placed on the calendar, the rule having been suspended, on motion of Mr. ECHOLS, requiring its reference to a committee.

No. 164. Senate bill to amend and re-enact section 6 of chapter 323 of the Acts of the General Assembly of Virginia for 1887, and entitled an act to incorporate the Danville and Seaboard railroad company, was reported from the committee on roads and internal navigation.

The following bills, reported from the committee on roads and internal navigation, were read a first time:

No. 286. House bill to incorporate the Greenleaf Johnson company.

No. 287. House bill to amend and re-enact section 5 of an act entitled an act to incorporate the Craig company.

No. 288. House bill to regulate the construction of railroads through mountain passes and defiles.

No. 289. House bill to establish a bureau of labor and industrial statistics, and defining the duties and powers of the same and fixing the salary of the commissioner thereof, reported from the committee on labor and the poor, was read a first time.

The following House bills, reported from the committee on finance, were read a first time:

No. 290. House bill to allow Joseph T. Fudge, treasurer of Alleghany county, further time to distrain, levy and collect certain tax-tickets and license taxes for which he has accounted to the State.

No. 291. House bill to give aid to soldiers, sailors and marines of Virginia, maimed or disabled in the war between the States, and to

the widows of Virginia soldiers, sailors and marines who lost their lives in said war in the military service.

Mr. SAUNDERS offered the following resolution:

Resolved, That on and after Monday next the chair be vacated at two o'clock P. M. and resumed at four o'clock P. M.

The House referred the resolution to the committee on rules.

The SPEAKER laid before the House a communication from the governor in relation to the contracts existing between the State of Virginia and Joseph Davis, and the obligation, if any exists, on the part of the State to rebuild that portion of the penitentiary recently destroyed by fire. (Document No. 7.)

Mr. WADDILL, under a suspension of the rules, offered the following:

Resolved, That the attorney-general be, and he is hereby, requested to inform this House what steps, if any, have been taken to ascertain whether the charter of the Richmond, Williamsburg and and Central turnpike company in Henrico county, has been forfeited pursuant to the act of the General Assembly of Virginia, approved March 3, 1884, and if no such steps have been taken, why not.

The resolution was agreed to.

Leave of absence was granted Messrs. WRIGHT two days, and DICKEY and BROWNE three days each.

The following were presented and referred under Rule 37:

By Mr. QUESENBERRY: A bill to repeal the charter of the town of Hillsville. Referred to the committee on counties, cities and towns.

By Mr. YOUNG: A bill to repeal special road law for the county of Lee. Referred to the committee on counties, cities and towns.

By Mr. CARDWELL: A bill to protect rabbits or hares in the county of Hanover. Referred to the committee on propositions and grievances.

By Mr. PILCHER: A bill to amend and re-enact the 24th section of the 448th chapter of Acts of 1885–'6, taxing telephone companies. Referred to the committee on finance.

By Mr. HERBERT: A bill to amend and re-enact section 635 of the Code of Virginia of 1887, relative to the collection of taxes. Referred to the committee on finance.

By Mr. PARR: A bill to amend and re-enact section 10 of chapter 124 of the Code of Virginia, in relation to the wives of insane persons. Referred to the committee for courts of justice.

By Mr. COUNTS: A bill to amend an act approved November 29, 1884, amending an act approved March 17, 1884, requiring railroad companies to construct cattle guards, pits, &c. Referred to the committee on roads and internal navigation.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 262. House bill to regulate commerce in the State of Virginia, was, on motion of Mr. DABNEY, taken up out of its order on the calendar.

On motion of Mr. DABNEY, the bill was postponed and made a special continuing order for Tuesday next at one o'clock P. M.

No. 210. House bill to provide a police court for the city of Richmond and for the election of a police justice for said city, to define the jurisdiction of said police court, and to amend and re-enact section 105 of the charter of the city of Richmond, was, on motion of Mr. CURTIS, taken up out of its order on the calendar.

On motion of Mr. CURTIS, the bill was recommitted to the committee for courts of justice.

No. 255. House bill to amend and re-enact the charter of the town of Warrenton, was, on motion of Mr. KINCHELOE, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. KINCHELOE moved that it be read a third time this day, which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

Mr. KINCHELOE moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 50. Senate bill entitled an act for the relief of the sureties of D. B. Baldwin, late treasurer of Tazewell county, came up.

The amendment offered by Mr. POLLARD was rejected.

The bill was read a third time and passed—yeas 78; nays 2.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Elam, Figgatt, Gordon, Graves, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Loving, Martin, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, J. E. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Sanger, Scott, Sebrell, Silver, Simpson, Smith, Spencer, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Williams, Wright and Young—78.

NAYS—Messrs. Hay and Johnson—2.

The following Senate bills were read a third time and passed:

No. 90. Senate bill entitled an act to incorporate the Danville storage company.

No. 208. Senate bill entitled an act to incorporate the *Bee*.

No. 251. Senate bill entitled an act to authorize the council of the town of Gordonsville to issue bonds for the purpose of constructing water-works.

No. 74. Senate bill entitled an act to amend and re-enact section 3 of chapter 391 of the Acts of 1887, entitled an act to secure to

operatives and laborers engaged in and about coal mines, manufactories of iron and steel and all other manufactories, the payment of their wages at regular intervals and in lawful money of the United States.

No. 111. Senate bill entitled an act to incorporate the Warwick Park transportation company.

No. 153. Senate bill entitled an act to authorize the issue of bonds and stock by the Chesapeake and Ohio railway company.

No. 99. Senate bill entitled an act to incorporate the James River Valley construction company.

No. 237. Senate bill entitled an act to allow the Charlottesville and University of Virginia electric light and gas company to locate its poles and wires in, along and through the streets and alleys of the town of Charlottesville.

Motions severally made to reconsider the votes by which Senate bills Nos. 50, 90, 208, 251, 74 and 153 were passed, were rejected.

Nos. 161 and 174. Senate bills, were, on motions severally made, passed by.

A message was received from the Senate by Mr. Bibb, who informed the House that the Senate had passed House bill entitled an act to authorize the erection of a Washington Masonic memorial temple in Fredericksburg, No. 98, with amendments; in which amendments they respectfully request the concurrence of the House of Delegates.

The hour of one o'clock P. M. having arrived, special orders,

House bills Nos. 162 and 163, were, on motions severally made by Mr. HAY, postponed until to-morrow.

Special order,

No. 152. House bill to provide for a board of agriculture and making appropriation therefor, came up.

Mr. SAUNDERS moved to strike out the 5th section of the substitute; which was rejected.

Mr. ANDERSON of *Rockbridge* moved to amend the 8th section of the substitute by striking out all after the word "act" in the 5th line of the 8th section, and inserting, "And the said board of agriculture shall so soon as practicable, after their organization, select a place and acquire a farm at which they shall establish an experimental farm or station to be known and designated as the Virginia experimental station, and such station shall be under the control of the board of agriculture under the provisions of the act approved March the 2d, 1887, and all acts supplementary thereto relating to agricultural experiment stations. The direction and management of such station shall be regulated in accordance with the provisions of said act of March 2d, 1887;" which was rejected.

Mr. FIGGATT moved to strike out the 8th section of the substitute; which was agreed to—yeas 57; nays 31.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. W. A. Anderson, Arnold, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Catlett, Coleman, Corbett, Craft, Crismond, Curtis, Daingerfield, Echols, Edmondson, Elam, Figgatt, Herbert, Herring, Huffman, Hunter, Jarratt, Jones, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, J. E. Moore, Wm. L. Moore, Mustain, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Scott, Smith, Spencer, Starke, Treat, Watkins, Webb, West, Wilkins, Williams and Young—57.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, Barbour, Counts, Crawford, Dabney, Dupuy, Edwards, Ewell, Flood, Gordon, Graves, J. S. Harris, Hay, Hobson, Johnson, Kincheloe, Leggett, Loving, Morton, Overby, Phillips, Pilcher, Sebrell, Silver, Simpson, Tinsley, Lyon G. Tyler, R. H. Tyler and Wright—31.

Mr. ECHOLS moved to reconsider the vote by which the amendment, offered by Mr. FIGGATT, was agreed to; which motion was rejected—yeas 40; nays 42.

On motion of Mr. WILKINS, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edwards, Ewell, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Jarratt, Johnson, Kincheloe, Leggett, Loving, McKee, Morton, Mustain, Overby, Phillips, Pilcher, Sebrell, Silver, Simpson, Lyon G. Tyler, R. H. Tyler and Wright—40.

NAYS—Messrs. Arnold, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Curtis, Daingerfield, Edmondson, Elam, Figgatt, Herring, Huffman, Hunter, Jones, Mayo, McCandlish, McNeil, Montague, J. E. Moore, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Smith, Spencer, Starke, Treat, Watkins, West, Wilkins, Williams and Young—42.

Mr. FIGGATT moved to strike out the 9th and 10th sections of the substitute; which was agreed to.

Mr. BUFORD moved to amend the substitute by adding as an independent section, to come in after the 7th section, the following:

The State of Virginia hereby assents to the grants of money made by and in accordance with the act of Congress, approved March 2, 1887, and accepts the same subject to the conditions and provisions of said act; and the said board of agriculture shall, so soon as practicable after their organization, select a place and acquire a farm at which they shall establish an experimental farm or station to be known and designated as the Virginia agricultural experimental station, and such station shall be under the control of the board of agriculture under the provisions of the act approved March 2, 1887, and all acts supplementary thereto, relating to agricultural experiment stations. The direction and management of such station shall be regulated in accordance with the provisions of said act of March 2, 1887.

—Which was agreed to—yeas 42; nays 41.

On motion of Mr. SAUNDERS, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edwards, Ewell, Flood, Gordon, Graves, J. S. Harris, Hay, Hobson, Hunter, Jarratt, Johnson, Kincheloe, Leggett, Loving, McKee, Morton, Mustain, Overby, Phillips, Pilcher, Scott, Sebrell, Silver, Simpson, Lyon G. Tyler, R. H. Tyler, Wilkins and Wright—42.

NAYS—Messrs Arnold, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Curtis, Daingerfield, Edmondson, Elam, Figgatt, Huffman, Jones, Mayo, McCandlish, McClintic, McNeil, Montague, J. E. Moore, Wm. L. Moore, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Ryan, Sanger, Saunders, Spencer, Starke, Treat, Waddill, Watkins, Webb, West, Williams and Young—41.

Mr. HAY moved to reconsider the vote by which the amendment, offered by Mr. BUFORD, was agreed to.

On motion of Mr. FIGGATT, the motion to reconsider was passed by.

On motion of Mr. TREAT, the House adjourned until to-morrow at twelve o'clock M.

FRIDAY, FEBRUARY 3, 1888.

On motion of Mr. HERRING, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 2, 1888.

The Senate have passed House bills entitled an act to incorporate the Virginia State agricultural and mechanical society, No. 153; an act to exempt undertakers from jury service, No. 126; an act to incorporate the Spotsylvania mining and manufacturing company, No. 138; and an act to authorize the board of supervisors of Clarke county to appropriate a sum not exceeding one hundred dollars from the county levy, for the purchase of fuel for the county jail, No. 114.

They have agreed to House joint resolution requesting the senators and representatives from Virginia in the Congress of the United States to use all proper means to secure the passage of a bill for the suppression of pleuro-pneumonia, known as the Palmer bill, No. 158.

They have passed, with an amendment, House bill entitled an act to incorporate the Danville and East Tennessee railroad company, No. 85.

They have passed Senate bills entitled an act to incorporate the Hampton and Old Point railway company, Nos. 18 and 21; an act

to provide for a new registration of voters in the county of Alexandria, No. 262; an act to provide for a new registration of voters for the city of Alexandria, No. 263; and an act to incorporate the Petersburg manufacturing company, No. 303.

In which amendment and bills they respectfully request the concurrence of the House of Delegates.

No. 85. House bill, was placed on the calendar, the rule having been suspended on motion of Mr. COLEMAN, requiring its reference to a committee.

No. 303. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. MCCANDLISH, requiring its reference to a committee.

Nos. 18 and 21 (embraced in one bill). Senate bill, was read twice and referred to the committee on roads and internal navigation.

Nos. 262 and 263. Senate bills, were read twice and referred to the committee on privileges and elections.

No. 98. House bill to authorize the erection of a Washington Masonic memorial temple in Fredericksburg, was placed on the calendar, the rule having been suspended on motion of Mr. CRISMOND, requiring its reference to a committee.

The following Senate bills were reported from the committee on finance:

No. 9. Senate bill entitled an act to allow William O. Yager, treasurer of Page county, Va., further time to distrain, levy for and collect certain taxes and levies for which he has accounted to the State and county.

No. 187. Senate bill entitled an act to authorize the county court of Pittsylvania to inquire into the propriety of relieving the estate of Hartwell Farmer, deceased, from an amount of delinquent taxes erroneously paid by the administrator of said decedent.

No. 60. Senate bill entitled an act for the relief of the sureties of James P. Critz, late treasurer of Patrick county.

No. 25. Senate bill entitled an act for the relief of John A. Roberts and John E. Roberts, of Charlotte county, with an amendment.

No. 146. Senate bill to incorporate the trustees of the Mu Sigma Rho library association, of Chesterfield county, Va., reported from the committee on propositions and grievances.

The following House bills, reported from the committee on finance, were read a first time:

No. 292. House bill to authorize the auditor of public accounts to re-issue to J. S. French a warrant heretofore issued to W. W. French and returned to the auditor.

No. 293. House bill to refund to R. C. Tyree certain taxes erroneously paid by him.

The following House bills, reported from the committee on Chesapeake and its tributaries, was read a first time:

No. 294. House bill to amend and re-enact section 48 of an act entitled an act to amend and re-enact section 48 of an act to amend and re-enact sections 13 and 48 of an act entitled an act for the preservation of oysters and to obtain a revenue for the privilege of taking them from the waters of the commonwealth, approved November 26, 1884, as amended by chapter 26, section 48 of the Acts of 1887, approved March 30, 1887.

No. 295. House bill to authorize R. H. Atkinson to erect a pier or wharf on his oyster grounds on Chuckatuck creek.

The following House bills, reported from the committee on roads and internal navigation, were read a first time:

No. 296. House bill to incorporate the New River Plateau railway company.

No. 297. House bill to authorize the extension of the Powells Valley railway from the Tennessee State line across the southwest corner of Virginia to the Kentucky State line at or near Cumberland Gap.

No. 298. House bill to incorporate the Newport News, Hampton and Old Point Comfort telephone company, reported from the committee on propositions and grievances, was read a first time.

No. 299. A bill to amend and re-enact section 614 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, reported from the committee for courts of justice, was read a first time.

No. 300. House bill to give the assent of the State of Virginia to the provisions of an act of Congress, approved March 2, 1887, in relation to an agricultural experiment station, placed on the calendar on motion of Mr. FIGGATT, was read a first time.

The following report was agreed to:

The committee on roads and internal navigation, to whom was referred a bill to direct a sale of the State's interest in the Richmond, Fredericksburg and Potomac railroad, respectfully ask to be discharged from its further consideration, and that it be referred to the committee on finance.

Mr. HUFFMAN offered the following resolution:

Resolved, That on and after Tuesday, the 7th of February, 1888, the House will meet at eleven o'clock A. M., and the chair be vacated at two P. M. and resumed at four P. M. except on Saturdays. The roll shall be called at the evening sessions in alphabetical order, and when the name of a member is called he shall be authorized to call up one local bill, and this shall be the order until the roll is entirely called through.

The House refused to refer the resolution to a committee.

On motion of Mr. GORDON, the resolution was amended by striking out "eleven o'clock A. M." and inserting "twelve o'clock M."

The resolution, as amended, was agreed to.

Mr. ECHOLS moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Mr. ELAM offered the following resolution:

Whereas there are outstanding obligations of the State, not only with respect to her own recognized debt under the act of February 14, 1882, known as the Riddleberger bill, but, also, with respect to West Virginia's liability for her share of the *ante-bellum* debt of Virginia now wholly unprovided for; and

Whereas there are various differences between the State and her creditors, due to lapse of time, mistaken legislation, litigation and judicial decision since February 14, 1882, which obstruct funding under the act of that date, and make a final settlement impossible; which differences were either uncontemplated or not fully and definitely provided for by said act; therefore,

Resolved, That the finance committee of this House be instructed to bring in such bill or bills as may be necessary to a just composition of the aforesaid obligations and differences upon the basis fixed in the Riddleberger bill, and according to the tenor and intent of that measure to the end that a final settlement of our State debt may be in nowise prevented or deferred by legislative neglect.

The House referred the resolution to the committee on finance—yeas 48; nays 30.

On motion of Mr. TREAT, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Barbour, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, McKee, J. E. Moore, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Silver, Simpson, Smith, Starke, Lyon G. Tyler, R. H. Tyler, Wilkins and Williams—48.

NAYS—Messrs. Baskerville, Goodman Brown, John A. Browne, Corbett, Craft, Elam, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McNeil, Montague, Wm. L. Moore, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Treat, Waddill, Webb and Young—30.

The committee on enrolled bills report that the governor has approved the following bills:

An act to empower the auditor to issue a duplicate of warrant No. 8,786.

An act to authorize the county school board of Northumberland county to use a portion of the county school fund for the erection of school-houses in Lottsburg school district.

An act to incorporate the Galilean fisherman relief association of the commonwealth of Virginia.

An act to amend and re-enact an act entitled an act to incorporate the Rappahannock Valley agricultural and mechanical society, of Fredericksburg.

An act to incorporate the Christian multitude, of Norfolk county.

An act to prescribe the time for holding the courts of the Sixteenth judicial circuit.

An act to incorporate the Chester lumber and manufacturing company.

An act to provide for the deposit of State funds in certain cases.

An act to repeal sections 10 and 11 of chapter 86 of the Code of 1873, and the 41st section of chapter 86 of the Code of 1873, as amended and re-enacted by an act entitled an act to amend and re-enact section 41 of chapter 86 of the Code of 1873, in relation to inspections, approved April 2, 1874.

An act to allow George R. Dalby and Laban J. Belote to erect a wharf on Nassawodux creek, in Northampton county.

An act to amend and re-enact section 12 of an act entitled an act for working and repairing the public roads of Grayson and Patrick counties, approved May 23, 1887.

An act to amend and re-enact an act entitled an act to incorporate the town of South Boston, in the county of Halifax.

The following were presented and referred under Rule 37:

By Mr. STARKE: A bill for the release of the interest and costs on J. E. Perkinson's delinquent taxes in Amelia county, in consideration of the payment of his principal. Referred to the committee on finance.

By Mr. HOBSON: A bill extending the time for collecting taxes to James A. Tilman, late treasurer of Powhatan county. Referred to the committee on finance.

By Mr. DUPUY: A bill to allow J. W. Overby, late treasurer of Lunenburg county, further time to distrain and levy for uncollected taxes. Referred to the committee on finance.

By Mr. STARKE: A bill for the relief of George A. Wilson, late treasurer of Norfolk city. Referred to the committee on finance.

By Mr. PARR: A bill to authorize the board of supervisors or county judge to make allowance to county officers. Referred to the committee for courts of justice.

By Mr. ECHOLS: A bill to prohibit youths below the age of sixteen years from using, handling or carrying fire-arms. Referred to the committee for courts of justice.

By Mr. MONTAGUE: A bill to authorize the supervisors of King George and Stafford counties to increase the pay of county judge. Referred to the committee for courts of justice.

By Mr. BUFORD: A bill to amend and re-enact section 93 of the charter of the city of Richmond, concerning the fire department. Referred to the committee on counties, cities and towns.

The hour of one o'clock P. M. having arrived, special orders,

Nos. 162 and 163. House bills, were, on motions severally made by Mr. HAY, postponed till Tuesday next.

Special order,

No. 152. House bill to provide for a board of agriculture of Virginia and making appropriation therefor, came up.

The motion made by Mr. HAY to reconsider the vote by which the amendment offered by Mr. BUFORD was agreed to, was agreed to—yeas 45; nays 38.

On motion of Mr. FIGGATT, the vote was recorded as follows:

YEAS—Messrs. Arnold, Barbour, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Counts, Craft, Curtis, Edmondson, Elam, Figgatt, Herring, Huffman, Jarratt, Jones, Martin, Mayo, McCandlish, McNeil, Montague, J. E. Moore, Wm. L. Moore, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Smith, Spencer, Starke, Treat, Waddill, Watkins, Webb and Young—45.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Buford, Catlett, Coleman, Crawford, Crismond, Dabney, Dupuy, Echols, Edwards, Ewell, Gordon, Graves, J. S. Harris, Hay, Hobson, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, Morton, Mustain, Overby, Phillips, Pilcher, Scott, Sebrell, Silver, Simpson, Tinsley, Lyon G. Tyler, R. H. Tyler and Williams—38.

Mr. FLOOD stated that he was paired with Mr. WEST, or he would have voted in the negative.

The question recurring on agreeing to the amendment offered by Mr. BUFORD, was put and decided in the negative—yeas 37; nays 44.

On motion of Mr. FIGGATT, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edwards, Gordon Graves, J. S. Harris, Hay, Hobson, Hunter, Johnson, Kincheloe, Loving, McKee, Morton, Mustain, Overby, Phillips, Pilcher, Scott, Sebrell, Silver, Tinsley, Lyon G. Tyler, R. H. Tyler and Williams—37.

NAYS—Messrs. Arnold, Barbour, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Curtis, Edmondson, Elam, Figgatt, Herring, Huffman, Jarratt, Jones, Martin, Mayo, McCandlish, McNeil, Montague, J. E. Moore, Wm. L. Moore, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Smith, Spencer, Starke, Treat, Waddill, Watkins, Webb and Young—44.

Mr. FLOOD stated that he was paired with Mr. WEST, or he would have voted in the affirmative.

Mr. SAUNDERS moved to strike out in the 5th section the words, "And they shall be authorized to employ one or more persons, competent to give instructions in practical and scientific agriculture, to deliver lectures or read essays relating to agriculture and kindred pursuits"; which was rejected.

Mr. WADDILL moved to amend the substitute by striking out, in the 5th and 6th lines of 1st section, the words, "To be appointed by the governor," and insert in lieu thereof the following: "To be elected by the Farmers' assembly of Virginia—said persons, however, to be selected from the two different political parties of the State, so that not more than two-thirds of the members of the said board shall belong to any one of the said parties at the same time"; which was rejected—yeas 34; nays 45.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Elam, Herring, Hunter, Jarratt, Jones, Martin, Mayo, McCandlish, McNeil, Montague, William L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—34.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Figgatt, Flood, Gordon, Graves, Hay, Hobson, Huffman, Johnson, Kincheloe, Leggett, Loving, McKee, J. E. Moore, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Sebrell, Silver, Smith, Starke, Lyon G. Tyler, R. H. Tyler, Wilkins and Williams—45.

On motion of Mr. DUPUY, the substitute was amended by striking out the 12th section.

Mr. WADDILL moved to amend the substitute by inserting in the 6th line of 1st section after the word "governor," the following: "Said members to be selected from the two political parties, so that not more than two-thirds of the members of said board shall belong to any one of the said parties at the same time;" which was agreed to—yeas 43; nays 39.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Arnold, Baskerville, Goodman Brown, John A. Browne, Corbett, Craft, Dabney, Dupuy, Edmondson, Elam, J. S. Harris, Herring, Hobson, Hunter, Jarratt, Jones, Martin, Mayo, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Robinson, Sanger, Scott, Smith, Spencer, Tinsley, Treat, Waddill, Webb, Wilkins, Williams and Young—43.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Echols, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Huffman, Johnson, Kincheloe, Leggett, Loving, McKee, J. E. Moore, Morton, Mustain, Overby, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Lyon G. Tyler, R. H. Tyler and Watkins—39.

The substitute, as amended, was agreed to.

The bill, as amended, was ordered to be engrossed to be read a third time.

The bill being presently engrossed, Mr. DUPUY moved that it be read a third time this day; which was agreed to, two-thirds in the House so determining.

The bill was read a third time and passed—yeas 74; nays 2.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Elam, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Mayo, Montague, J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Parr,

Perkins, Phillips, Pilcher, Porter, Quesenberry, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Smith, Spencer, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, Wilkins, Williams and Young—74.

NAYS—Messrs. McCandlish and Pedigo—2.

Mr. DUPUY moved to reconsider the vote by which the bill was passed; which motion was rejected.

On motion of Mr. LOVING, the House adjourned until to-morrow at twelve o'clock M.

SATURDAY, FEBRUARY 4, 1888.

Prayer by Rev. Dr. S. S. Lambeth, of the Methodist Episcopal church.

On motion of Mr. CATLETT, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 3, 1888.

The Senate have agreed to the amendment proposed by the House of Delegates to Senate bill entitled an act to incorporate the Memorial asylum for infants in Fairfax county, No. 78.

They have passed Senate bills entitled an act to incorporate the Bristol and Danville railroad company, No. 318; and an act to incorporate the Big Stone Gap improvement company, No. 342; in which bills they respectfully request the concurrence of the House of Delegates.

No. 318. Senate bill, was read twice and referred to the committee on roads and internal navigation.

No. 342. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. WEBB, requiring its reference to a committee.

The following Senate bills were reported from the committee on counties, cities and towns:

No. 11. Senate bill entitled an act to amend and re-enact an act entitled an act to prescribe a fence law for Newport News election precinct, in the county of Warwick, approved May 2, 1887, and to add an additional section thereto.

No. 68. Senate bill entitled an act to amend and re-enact sections 3 and 4 of an act entitled an act appropriating the proceeds of the Glebe lands and other property belonging to the parishes of Abingdon, Ware and Petsworth, in the county of Gloucester, and for other purposes, passed January 25, 1814.

No. 177. Senate bill entitled an act for the preservation of certain useful animals and fowls, and to prevent unlawful hunting in the county of Rockingham.

The following Senate bills were reported from the committee on roads and internal navigation:

No. 141. Senate bill entitled an act to relieve the Baltimore, Cincinnati and Western railway company from any forfeiture which may have accrued from failure to commence and complete its road within the time limited in its act of incorporation, and to reinvest the said company with all the powers, privileges and franchises granted by the said act, approved March 8, 1880, entitled an act to incorporate the Baltimore, Cincinnati and Western railway, and for other purposes.

No. 20. Senate bill entitled an act to incorporate the Danville and Great Western railroad company, with an amendment.

The following Senate bills were reported from the committee on finance:

No. 28. Senate bill entitled an act to extend the time to Edward Major, treasurer of Charles City county, for the collection of taxes and county levies in his hands.

No. 41. Senate bill entitled an act extending the time of F. W. Payne, late treasurer of King George county, for the collection of certain taxes and levies.

No. 155. Senate bill entitled an act extending the time for the collection of certain taxes and levies to J. R. Rawlings, late treasurer of Brunswick county.

No. 109. Senate bill entitled an act to provide compensation to A. Theo. Powell for the prosecution of H. R. Puryear.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 301. House bill to provide for making, changing and working roads in the county of Rockingham.

No. 302. House bill to authorize the council of the town of Gordonsville to issue bonds for the construction of water-works.

No. 303. House bill to submit a vote to the people of Rockingham county to determine whether dogs shall be taxed or not.

No. 304. House bill to authorize the qualified voters of Warwick county to vote upon the question of the removal of the courthouse of said county.

The following House bills, reported from the committee on finance, were read a first time:

No. 305. House bill to allow J. W. Overby, late treasurer of Lunenburg county, further time to distrain and levy for uncollected taxes.

No. 306. House bill for the compensation of W. W. Wood.

No. 307. House bill to provide for the compensation of the special House committee appointed in 1883–'84, to continue and complete the investigation of the books and papers of first auditor's office.

No. 308. House bill to provide for the payment of the members of the special joint committee of the General Assembly of Virginia, acting under resolution of the 8th of February, 1886, and for the payment of the accountant of the said committee.

No. 309. House bill for the relief of the sureties of Isaac N. Akers, late treasurer of Patrick county.

No. 310. House bill to allow W. B. W. Brooking, late treasurer of Goochland county, and his deputies, further time in which to collect levies and taxes already accounted for by him to the auditor of public accounts.

No. 311. House bill for the relief of John A. Shackelford, of Stafford county.

No. 312. House bill asking the State authorities to convey to the city of Richmond so much of the Capitol square on the south and east sides, as may be necessary to make Bank and Twelfth streets sixty-six feet wide, reported from the committee on public property, was read a first time.

The following House bills were reported from the committee on roads and internal navigation:

No. 313. House bill to incorporate the Lynchburg cotton mill and improvement company.

No. 314. House bill to authorize the Petersburg railroad company to lease its road.

The following were presented and referred under Rule 37:

By Mr. WEBB: A bill to require judges to commit to writing instructions to juries. Referred to the committee for courts of justice.

By Mr. STARKE: A bill authorizing the board of supervisors of Norfolk county, in their dicretion, to pay over to the city collector of Norfolk city, for the use of Brambleton ward, in said city, a portion of the taxes collected from citizens of said ward by the treasurer of Norfolk county for the year 1887. Referred to the committee for courts of justice.

By Mr. HUFFMAN: A bill to incorporate the Roanoke savings bank. Referred to the committee on banks, currency and commerce.

By Mr. BUFORD: A bill to amend and re-enact sections 12 and 14 of an act entitled an act to repeal chapter 91 of the Code of 1873, and all acts and parts of acts in relation to the pilots and piloting of vessels, and to enact a law to govern and regulate pilots and piloting in waters of the State of Virginia, approved April 21, 1882. Referred to the committee on banks, currency and commerce.

By Mr. FIGGATT: A bill to incorporate the Iron Gate and Newcastle railroad company. Referred to the committee on roads and internal navigation.

By Mr. SIMPSON: A bill to amend and re-enact sections 1, 4, 7, 9 and 16 of an act entitled an act for working the public roads of Halifax county, approved April 28, 1887. Referred to the committee on counties, cities and towns.

By Mr. CRISMOND: A bill to allow the voters of Berkely magisterial district, Spotsylvania, to vote upon a fence law upon certain conditions. Referred to the committee on counties, cities and towns.

By Mr. BUFORD: Petition of Joseph B. Hill asking relief in regard to certain bonds of the commonwealth. Referred to the committee on finance.

By Mr. STARKE: A bill to refund to the legatees and devisees of J. W. Whitehurst, deceased, collateral inheritance taxes paid by them. Referred to the committee on finance.

By Mr. MOORE of *Tazewell:* A bill to incorporate Liberty high school. Referred to the committee on schools and colleges.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 300. House bill to give the assent of the State of Virginia to the provisions of an act of Congress, approved March 2, 1887, in relation to an agricultural experiment station, was, on motion of Mr. FIGGATT, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

No. 218. House bill to provide for a reassessment of the lands in Brambleton ward, in the city of Norfolk, was, on motion of Mr. STARKE, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

No. 157. House bill to incorporate the Midlothian coal company, was, on motion of Mr. BUFORD, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

A message was received from the Senate by Mr. Moore, who informed the House that the Senate had disagreed to the amendments proposed by the House of Delegates to Senate bill entitled an act to incorporate the Mount Vernon avenue association, No. 71.

The hour of one o'clock P. M. having arrived, special order,

No. 137. House bill, was, on motion of Mr. FIGGATT, postponed until Monday next.

On motion of Mr. DUPUY, the House proceeded to the consideration of House bills on their second reading.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 44. House bill to incorporate the Farmers' benevolent fire association, of Franklin county.

No. 132. House bill to amend the law in relation to working the public roads of Patrick and Grayson counties.

No. 146. House bill for the relief of the tax-payers of Carrroll county.

No. 154. House bill to incorporate the Edgewood cemetery company, of Augusta county.

No. 131. House bill to amend and re-enact an act for the establishment of a true meridian line in each county of the commonwealth east of the Alleghany mountains, approved March 25, 1875, was, on motion of Mr. SAUNDERS, dismissed.

No. 90. House bill to amend and re-enact section 1 of an act entiled an act to prohibit the use of pound nets and purse nets in the waters of James and Chickahominy rivers below tidewater, approved May 16, 1887, was read a second time.

On motion of Mr. WADDILL, the bill was amended by striking out the 5th and 6th lines of section 1 as proposed to be amended, and inserting the following: "To the waters of James river between the dry dock in the town of Newport News and Warwick creek in Warwick county, for a distance of four hundred yards from low-water mark along the Warwick county line, and into the waters of James river."

Mr. TINSLEY moved to lay the bill on the table; which was rejected.

The bill was ordered to be engrossed to be read a third time.

No. 140. House bill to provide a new registration in the city of Staunton, was read a second time.

Mr. WADDILL moved to strike out in 3d line, 1st section, the word "May," and insert "June;" which was rejected—yeas 23; nays 38.

On motion of Mr. ELAM, the vote was recorded as follows:

YEAS—Messrs. Bristow, Craft, Elam, Jones, Martin, Mayo, McCandlish, McClintic, Montague, William L. Moore, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Spencer, Treat, Waddill, Webb and Young—23.

NAYS—Messrs. Allensworth, D. W. Anderson, Arnold, Barbour, Buford, Catlett, Coleman, Counts, Crismond, Curtis, Dupuy, Echols, Edmondson, Ewell, Flood, Hay, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Simpson, Smith, Starke, Lyon G. Tyler, Watkins and Williams—38.

Mr. WADDILL moved that the House do now adjourn; which motion was rejected—yeas 16; nays 47.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Craft, Jones, McClintic, Montague, William L. Moore, Pedigo, Perkins, Phillips, Riner, Robinson, Scott, Spencer, Tinsley, Waddill, Webb and Young—16.

NAYS—Messrs. Allensworth, D. W. Anderson, Arnold, Barbour, Bristow, Buford, Carter, Catlett, Coleman, Counts, Crismond, Curtis, Dupuy, Echols, Edmondson, Elam, Ewell, Figgatt, Flood, Graves, Hay, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McCandlish, McKee, Morton, Mustain, Overby, Pilcher, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Simpson, Smith, Starke, Treat, Lyon G. Tyler, R. H. Tyler, Watkins and Williams—47.

On motion of Mr. ECHOLS, the bill was amended by striking out "Tuesday in May" and inserting the words, "Wednesday in June."

The bill, as amended, was ordered to be engrossed to be read a third time.

No. 156. House bill for the protection and benefit of owners and keepers of stallions and bulls in the State of Virginia was read a second time.

On motion of Mr. ELAM, the bill was amended by striking out "six months" wherever appearing and inserting "three months."

Mr. ECHOLS offered an amendment in the nature of a substitute, which was agreed to.

Mr. SAUNDERS moved to dismiss the bill, which was agreed to.

Mr. SAUNDERS moved to reconsider the vote by which the bill was dismissed.

Mr. FIGGATT moved to pass by the motion to reconsider; which motion was rejected—yeas 19; nays 39.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Arnold, Bristow, Corbett, Echols, Edmondson, Elam, Figgatt, Hay, Loving, Martin, Mayo, McCandlish, Montague, Wm. L. Moore, Phillips, E. L. Roberts, J. Roberts, Robinson and Waddill—19.

NAYS—Messrs. Allensworth, D. W. Anderson, Barbour, Buford, Coleman, Counts, Craft, Dupuy, Ewell, Graves, Huffman, Hunter, Jones, Johnson, Kincheloe, Leggett, Magruder, McKee, Mustain, Overby, Parr, Pedigo, Porter, Quesenberry, Riner, Ryan, Saunders, Scott, Simpson, Smith, Spencer, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler, Watkins, Webb, Williams and Young—39.

The question being on agreeing to the motion of Mr. SAUNDERS to reconsider the vote by which the bill was dismissed,

On motion of Mr. MARTIN, the House adjourned until Monday next at twelve o'clock M.

MONDAY, FEBRUARY 6, 1888.

Prayer by Rev. Dr. J. B. Newton, of the Episcopal church.

On motion of Mr. TREAT, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 4, 1888.

The Senate have passed House bill entitled an act to incorporate the Danville and North Carolina railroad company, No. 86.

They have passed, with an amendment, House bill entitled an act to provide for the payment of justices of the peace, witnesses and physicians in certain cases, No. 65.

They have passed Senate bills entitled an act to incorporate the Samaritan beneficial society, No. 42; and an act to authorize the circuit and corporation courts of this commonwealth to render judgments against receivers and commissioners and purchasers at judicial sales and their sureties in certain cases, No. 44.

In which amendment and bills they respectfully request the concurrence of the House of Delegates.

No. 65. House bill, was placed on the calendar, the rule having been suspended on motion of Mr. HAY, requiring its reference to a committee.

No. 42. Senate bill, was read twice and referred to the committee on propositions and grievances.

No. 44. Senate bill, was read twice and referred to the committee for courts of justice.

The following Senate bills were reported from the committee for courts of justice:

No. 66. An act to amend and re-enact section 4 of chapter 331 of Acts of Assembly 1887, entitled an act to adopt and provide for the publication and distribution of the Code of Virginia, for the preparation and publication of the explanatory notes of the revisers of the Code, and for furnishing the revisers with an office and stationery.

No. 76. An act granting the superintendent of any fair grounds or cemetery the same powers as a constable for certain purposes in such fair grounds or cemetery.

No. 39. Senate bill entitled an act to incorporate the Copperhonk Springs company, reported from the committee on propositions and grievances, with amendments.

No. 185. Senate bill entitled an act to amend and re-enact section 5 of chapter 9 of the charter of the city of Lynchburg, was reported from the committee on counties, cities and towns.

The following House bills, reported from the committee on finance, were read a first time:

No. 315. House bill to allow Charles M. Shannon, James V. Richardson and N. J. Nelson, deputy treasurers for John W. Richardson, treasurer of Smyth county, to amend and add to their respective returns of delinquent taxes for years 1881, 1882, 1883 and 1884.

No. 316. House bill to allow A. R. Green, treasurer of Halifax county, and his deputies six months within which to distrain and levy for and collect tax-tickets for 1882, and J. W. Chandler, deputy collector, to make a further return of delinquents for 1882.

No. 317. House bill to allow C. C. Granger, deputy collector for A. R. Green, treasurer of Halifax county, to make a further return of delinquent taxes for the year 1885.

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 318. House bill to amend and re-enact section 4 of an act approved May 14, 1887, entitled an act to prevent the destruction of

fish and to prevent the obstruction of the free passage of the same in Dan river at or near Danville, Va.

No. 110. House bill to repeal chapter 83 of Code of 1887, in regard to inspection of tobacco, heretofore committed to the committee on propositions and grievances, was reported back.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 319. House bill to amend and re-enact section 93 of the charter of the city of Richmond concerning the fire department.

No. 320. House bill providing a premium for the scalps of foxes, hawks, owls, minks, weasels and crows in the county of Caroline.

No. 321. House bill to allow the voters of Berkley magisterial district, Spotsylvania, to vote upon a fence law upon certain conditions.

No. 322. House bill to regulate and restrict liability to labor on public roads, and to abolish imprisonment for breach of such liability, was reported (with a recommendation that it do not pass).

No. 323. House bill to authorize the board of supervisors of Essex county to rescind an order in relation to working public roads.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 324. A bill to require all preference of creditors to be evidenced by writings executed at the time the debt is contracted, and recorded within ten days thereafter (with a recommendation that it do not pass).

No. 325. A bill to prohibit the buying, selling, delivering or receiving cotton in the seed in certain quantities, on certain conditions.

No. 225. A bill to amend and re-enact sections 2475 and 2477 of chapter 110 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the lien of vendors, mechanics and others, heretofore recommitted to the committee for courts of justice, was reported back.

The following House bills, placed on the calendar on motions severally made, were read a first time:

No. 326. House bill to amend an act, approved February 19, 1886, to incorporate the Mineral Springs railroad company (on motion of Mr. MAGRUDER).

No. 327. House bill to amend and re-enact section 1594, chapter 70, Code of 1887, in relation to the Virginia agricultural and mechanical college (on motion of Mr. MAYO).

No. 328. House bill to consolidate the Brighthope railway company with the Farmville and Powhatan railroad company (on motion of Mr. HOBSON).

No. 329. House bill to incorporate the Dismal Swamp hunting club of Norfolk county (on motion of Mr. MARTIN).

No. 330. House bill to authorize a special district school tax in Auburn school district of the county of Montgomery (on motion of Mr. MCCANDLISH).

Mr. JOHNSON offered the following resolution:

Whereas the public welfare demands that each legislator shall give his personal attention to questions acted on by the body of which he is a member; therefore,

Resolved, That on and after to-morrow the roll of this House shall be called at each session before proceeding to the consideration of any business, and that the name of each absentee be so entered on the Journal, unless such absentee report his presence within one hour after the roll call.

The House referred the resolution to the committee on rules.

Leave of absence was granted Messrs. SAUNDERS two days, ANDERSON of *Rockbridge* three days, and MCNEIL indefinitely.

The committee on enrolled bills report that the governor has approved the following bills:

An act to authorize the board of supervisors of Charlotte county to issue bonds for the purchase of a farm for the reception of the poor of said county.

An act to amend and re-enact an act to incorporate the Madison Courthouse and Orange railroad company, approved February 1, 1886.

An act to authorize the Radford land and improvement company to erect a dam across New river.

An act to amend and re-enact section 3 of an act approved February 18, 1886, entitled an act for the better protection of game in Henry county.

An act to authorize the county of Madison to subscribe to the stock of the Madison Courthouse and Orange railroad on certain conditions.

An act to incorporate the Abingdon railway company.

An act to authorize the county school board of Richmond county to appropriate $100 of the county school fund to the erection of a school-house in Stonewall school district of said county.

An act to incorporate the Norfolk and Cape Henry railroad and hotel company.

An act to incorporate the Virginia mining and manufacturing company.

An act to incorporate the Berkley street railway company.

An act incorporating the Berkley and Currituck turnpike company.

An act to incorporate the Lexington street railway company.

An act to authorize the board of supervisors of Halifax county to issue its warrant on the treasurer of said county in favor of Joseph C. Walker for the sum of $35, with interest from February 9, 1877.

An act granting a loan of arms of the State to the principal of Marion high school, in the county of Smyth.

An act to authorize the council of the city of Portsmouth to issue bonds for the purpose of retiring and refunding certain outstanding bonds of said city.

An act to authorize Christian Hanson to erect a wharf in front of his shore for shipping oysters.

An act to authorize and empower the Tunis lumber company, of Baltimore city, to hold land in the State of Virginia.

An act to incorporate the Richmond City and Seven Pines railway company.

An act to allow the Eastern Shore steamboat company, of Maryland, to acquire, hold and dispose of a certain tract of land in Northampton county, Va.

An act to allow W. J. Cave, treasurer of Madison county, further time to collect tax-tickets for which he has accounted to the auditor.

An act to authorize the board of supervisors of Culpeper county to adjudicate, adjust and allow certain claims and demands of George W. Cooper and the executors of P. C. Smith, deceased, against said county for repairing and keeping in order certain roads of said county.

An act to amend and re-enact an act approved January 16, 1886, entitled an act to allow William H. Ellis to erect a wharf at Franklin City, Accomac county.

An act to repeal sections 1853, 1854 and 1884 of chapter 84 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the inspection of flour and fish.

An act to amend and re-enact section 8 of chapter 61 of the Code of Virginia, as amended by an act approved March 30, 1887, as amended by an act approved May 21, 1887, and to amend and re-enact section 12 of said chapter 61 in relation to turnpike companies.

An act appropriating money to pay for publishing the 82d, 83d and 84th volumes of Virginia Reports.

An act to prevent the pollution of drinking water in this State.

An act for the relief of Bethel Presbyterian church, Shemariah Presbyterian church and St. John's German church, in Augusta county.

An act to amend sections 16, 21, 23, 26 and 28 of the charter of Suffolk.

An act to incorporate the Wytheville telephone company, and to authorize the merger of the charters of the Wythe, Bland, Carroll and Grayson telephone companies and the Wytheville telephone exchange in said company.

An act to authorize the trustees of the Presbyterian church at Roanoke City to borrow money and secure by deed of trust.

An act to authorize the board of supervisors of Alleghany county to borrow money to build bridges in said county.

An act to amend sections 23 and 8 of an act passed March 14, 1853, entitled an act to establish Roanoke college, in the county of Roanoke.

An act to incorporate the Manchester manufacturing company.

An act to amend and re-enact sections 1, 2 and 3 of an act entitled an act to provide for the working and keeping in repair the

public roads in the counties of Alleghany, Bath and Highland, approved February 22, 1884, and to amend and re-enact section 5 of same act, approved February 22, 1886, and to add independent sections.

An act for the relief of Charles W. Walker, late treasurer of Giles county, and his sureties.

An act to incorporate the Workingmen's association of Prince Edward county.

An act to incorporate the Wytheville street railway company.

An act for the relief of Henry Mahony.

An act to provide for an improved form of general index to deed books and other records in the chancery court of the city of Richmond.

An act making an appropriation for furnishing the new addition to the Central lunatic asylum, and for the support of additional inmates and paying of arrearages.

An act to amend and re-enact section 6 of chapter 100 of the Code of 1873, as amended by an act approved February 20, 1878, as amended and re-enacted by an act approved March 31, 1879, in relation to unlawful fishing.

An act to amend and re-enact an act to amend and re-enact section 1 of an act entitled an act to confirm a law passed by the Legislature of North Carolina, entitled an act to incorporate the Elizabeth City and Norfolk railroad company (now the Norfolk Southern railroad company), ratified the 20th day of January, 1870, and an act supplemental thereto, ratified the 24th day of January, 1872, and approved on the 23d day of February, 1875, approved on the 3d day of March, 1882.

The following were presented and referred under Rule 37:

By Mr. EWELL: A bill to incorporate the town of Drummondtown, in the county of Accomack. Referred to the committee on counties, cities and towns.

By Mr. HUFFMAN: A bill for the relief of G. W. Howbert. Referred to the committee on finance.

By Mr. HUNTER: A bill for the relief of Jno. W. Clay, late treasurer of Campbell county. Referred to the committee on finance.

By Mr. HUFFMAN: A bill for the relief of the sureties of John F. Jones, late treasurer of Craig county. Referred to the committee on finance.

By Mr. PEDIGO: A bill for the relief of the sureties of C. H. Ingles, late treasurer of Henry county. Referred to the committee on finance.

By Mr. GORDON: A bill to tax charters in certain cases. Referred to the committee on finance.

By Mr. DAINGERFIELD: A bill to further protect oyster planters, &c. Referred to the committee on Chesapeake and its tributaries.

By Mr. BRISTOW: Petition of citizens of Tidewater Virginia asking that the territory for dredging oysters be not extended. Referred to the committee on Chesapeake and its tributaries.

By Mr. DAINGERFIELD: A bill to establish sub-districts in free school districts, and prescribing the duties of directors of sub-districts and other officers of free schools. Referred to the committee on schools and colleges.

By Mr. MCKEE: A bill to prevent the adulteration of tobacco. Referred to the committee on propositions and grievances.

By Mr. CARTER: Communication from certain students of the medical college of Virginia in relation to examination by the medical board of examiners. Referred to the committee on propositions and grievances.

By Mr. MCCANDLISH: A bill to incorporate the Petersburg, Ettrick and Matoaca railway company. Referred to the committee on roads and internal navigation.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 71. Senate bill entitled an act to incorporate the Mount Vernon avenue association, was, on motion of Mr. CORBETT, taken up out of its order.

Mr. HAY offered the following resolution:

Resolved (the Senate concurring), That a committee of conference, consisting of three members of the House and two members of the Senate, be appointed to consider the disagreeing votes of the two Houses in relation to the amendments of the House to Senate bill entitled an act to incorporate the Mount Vernon avenue association, No. 71.

—Which was agreed to.

Mr. HAY moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. HAY carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Moore, who informed the House that the Senate had agreed to the resolution.

No. 289. House bill to establish a bureau of labor and industrial statistics, and defining the duties and powers of the same and fixing the salary of the commissioner thereof, was, on motion of Mr. CURTIS, taken up out of its order on the calendar.

On motion of Mr. CURTIS, the bill was postponed and made a special and continuing order for to-morrow at one o'clock P. M.

No. 9. Senate bill entitled an act to allow William O. Yager, treasurer of Page county, Va., further time to distrain, levy for and collect certain taxes and levies for which he has accounted to the State and county, was, on motion of Mr. GRAVES, taken up out of its order on the calendar.

The bill was read a third time and passed.

No. 28. Senate bill entitled an act to extend the time to Edward Major, treasurer of Charles City county, for the collections of taxes and county levies in his hands, was, on motion of Mr. TINSLEY, taken up out of its order on the calendar.

The bill was read a third time and passed.

Motions severally made to reconsider the votes by which Senate bills Nos. 9 and 28 were passed, were rejected.

No. 218. House engrossed bill to provide for a reassessment of the lands in Brambleton ward, in the city of Norfolk, was, on motion of Mr. STARKE, taken up out of its order on the calendar.

The bill was read a third time and passed.

Mr. STARKE moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 285. House bill supplementary to the laws now in force for working the roads and repairing and building bridges in the county of Caroline, was, on motion of Mr. ALLENSWORTH, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

No. 300. House engrossed bill to give the assent of the State of Virginia to the provisions of an act of Congress, approved March 2, 1887, in relation to an agricultural experiment station, was, on motion of Mr. FIGGATT, taken up out of its order on the calendar.

Mr. HAY moved to reconsider the vote by which the bill was ordered to be engrossed.

Mr. DUPUY moved to pass by the motion to reconsider; which motion was rejected.

The bill was read a third time and passed.

Mr. FIGGATT moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. FIGGATT carry the bill to the Senate and request their concurrence.

No. 130. House bill to amend and re-enact section 16 of an act to provide for the working and repairing of public roads and bridges, approved March 8, 1884, and to repeal sections 17, 18 and 19 of said act, was, on motion of Mr. ELAM, taken up out of its order on the calendar.

Mr. ELAM moved that the bill be postponed and made a special continuing order for Wednesday at one o'clock P. M.; which motion was rejected—yeas 37; nays 28.

On motion of Mr. ELAM, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, Arnold, Ash, Baskerville, Bristow, John A. Browne, Carter, Corbett, Craft, Daingerfield, Elam, Herring, Jones, Martin, Mayo, McCandlish, McClintic, Montague, William L. Moore, Pedigo, Perkins, Phillips, Porter, Riner, Roane, E. L. Roberts, Robinson, Scott, Smith, Spencer, Tinsley, Treat, R. H. Tyler, Waddill, Webb and Young—37.

NAYS—Messrs. D. W. Anderson, Barbour, Coleman, Edmondson, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, Mustain, Overby, Parr, Pilcher, Pollard, Quesenberry, J. Roberts, Simpson, Starke, Terrell and Williams—28.

A message was received from the Senate by Mr. Stubbs, who informed the House that the Senate had passed Senate bill entitled an act to pay teachers in the public schools of Virginia without requiring average attendance, No. 264; in which they respectfully request the concurrence of the House.

The hour of one o'clock P. M. having arrived, special order,

No. 137. House bill to amend and re-enact section 4 of an act entitled an act to regulate the practice of medicine and surgery, approved January 31, 1884, was read a second time.

On motion of Mr. FIGGATT, the bill was amended by adding as an independent section the following:

"This act shall be in force from its passage."

The bill was ordered to be engrossed to be read a third time—yeas 38; nays 36.

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Allensworth, Ash, Barbour, Baskerville, Bristow, Coleman, Daingerfield, Dupuy, Edwards, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Kincheloe, Mayo, McClintic, Montague, Morton, Mustain, Perkins, Phillips, Pilcher, Pollard, Roane, Ryan, Simpson, Starke, Terrell, Treat, R. H. Tyler, Waddill, Watkins and Webb—38.

NAYS—Messrs. Speaker, D. W. Anderson, Arnold, John A. Browne, Buford, Carter, Corbett, Counts, Craft, Curtis, Edmondson, Elam, Ewell, Herring, Jones, Johnson, Loving, Martin, Magruder, McCandlish, McKee, Overby, Parr, Pedigo, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Scott, Smith, Spencer, Tinsley, Lyon G. Tyler and Williams—36.

Mr. MOORE of *Tazewell* stated that he would have voted in the negative, but was paired with Mr. SAUNDERS.

Mr. HAY moved to reconsider the vote by which the bill was ordered to be engrossed.

Mr. LOVING moved to pass by the motion to reconsider; which motion was rejected.

The motion to reconsider was rejected.

The House resumed the consideration of House bill No. 130.

Pending which,

On motion of Mr. MCCANDLISH, the House adjourned until tomorrow at twelve o'clock M.

TUESDAY, FEBRUARY 7, 1888.

Prayer by Rev. Dr. J. B. Newton, of the Episcopal church.

On motion of Mr. CRISMOND, the reading of the Journal was dispensed with.

No. 264. Senate bill entitled an act to pay teachers in the public schools of Virginia without requiring average attendance, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. WADDILL, requiring its reference to a committee.

No. 318. Senate bill to incorporate the Bristol and Danville railroad company, was reported from the committee on roads and internal navigation, with an amendment.

No. 171. Senate bill entitled an act declaring certain grounds under water, known as Hog Island flats, open and eligible for the planting and sowing of oysters, was reported from the committee on the Chesapeake and its tributaries.

The following Senate bills were reported from the committee on finance:

No. 125. Senate bill entitled an act for the relief of Hughes Dillard, Jr., from the payment of a fine.

No. 85. Senate bill entitled an act for the relief of A. J. Bishop from the payment of a fine.

No. 69. Senate bill entitled an act to release taxes due on the parsonage of the Methodist Episcopal church, South, in Gloucester county.

No. 202. Senate bill entitled an act extending the time to James M. Booth, treasurer of Northumberland county, for the collection of certain taxes and levies.

No. 77. Senate bill entitled an act to amend and re-enact section 1 of chapter 39, Code of 1873, as amended by an act and approved February 15, 1879, and to amend and re-enact section 2 of chapter 39, Code of 1873, in reference to the price paid for land warrants and the fees paid in the land office.

The following House bills, reported from the committee on finance, were read a first time:

No. 331. House bill for the relief of the sureties of John F. Jones, late treasurer of Craig county.

No. 332. House bill to amend and re-enact section 1 of an act entitled an act to provide for the assessment of real estate in this State in the year 1885 and every fifth year thereafter, approved November 27, 1884.

No. 333. House bill for the relief of John W. Clary, late treasurer of Campbell county.

No. 334. House bill for the release of the interest and costs on J. E. Perkinson's delinquent taxes, in Amelia county, on condition of the payment of the principal.

No. 335. House bill extending the time for collecting taxes to James A. Tilman, late treasurer of Powhatan county.

The following House bills, reported from the committee on banks, currency and commerce, were read a first time:

No. 336. House bill to amend section 2876 of Code of 1887, in relation to negotiable notes.

No. 337. House bill to incorporate the Roanoke savings bank, reported with a recommendation that it do not pass.

No. 338. House bill to prescribe in what banks the money of the State may be kept.

The following House bills, placed on the calendar on motions severally made, were read a first time:

No. 339. House bill to incorporate the Lambert's Point turnpike company. (On motion of Mr. MARTIN.)

No. 340. House bill declaring the James river the main track of the Richmond and Alleghany railroad, and the boundary lines of the farms within certain limits in the county of Amherst a lawful fence. (On motion of Mr. LOVING.)

No. 341. House bill to incorporate the town of Mt. Jackson, in the county of Shenandoah. (On motion of Mr. MAGRUDER.)

No. 342. House joint resolution authorizing the sale of the State's interest in the Chesapeake and Ohio railroad company, placed on the calendar on motion of Mr. BUFORD, was read a first time.

Mr. ECHOLS offered the following resolution:

Whereas section 15 of article 10 of the Constitution of the State provides that the State shall not be a party to or become interested in any work of internal improvement, nor engage in carrying on any such work, otherwise than in the expenditure of grants to the State of land or other property; and whereas under the law now in force the State hires out her convicts to different railroads, in payment for which she receives the bonds of the different roads; therefore, be it

Resolved, That the committee for courts of justice be instructed to examine into and report to this House as early as possible whether the State has the constitutional right to thus contract with the different works of internal improvement, receiving for the hire of her convicts bonds and not money.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Leave of absence was granted Messrs. TREAT and WEST two days each and GRAVES seven days.

The following were presented and referred under Rule 37:

By Mr. ROBINSON: A bill to authorize J. S. Darling, D. G. Marrow and others to construct a bridge across the northwest branch of Hampton river. Referred to the committee on roads and internal navigation.

By Mr. MCCANDLISH: A bill to authorize attorneys for the commonwealth to make compromises in certain proceedings for the verification of coupons. Referred to the committee on finance.

By Mr. MORTON: A bill extending the time to Charles W. Woolfolk, treasurer of Orange county, for the collection of certain taxes and levies. Referred to the committee on finance.

By Mr. CRAFT: A bill for the relief of Robert A. Smith, of Scott county. Referred to the committee on finance.

By Mr. CARTER: Resolution in reference to the hire of convicts confined in the penitentiary. Referred to the committee on asylums and prisons.

By Mr. TYLER of *Prince William:* Petition from Coles district, Prince William county, in regard to road law. Referred to the committee on counties, cities and towns.

By Mr. WADDILL: A bill to prohibit the several cities and towns of the commonwealth and their officers and agents from imposing and collecting any tax, fine or other penalty upon persons selling their farm or other domestic products within the limits of any such city or town outside of and from under the regular. market-houses and sheds of such cities and towns. Referred to the committee on counties, cities and towns.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 130. House bill to amend and re-enact section 16 of an act to provide for the working and repairing of public roads and bridges, approved March 8, 1884, and to repeal sections 17, 18 and 19 of said act, was read a second time.

The question being on ordering the bill to be engrossed, was put and decided in the negative—yeas 24; nays 50.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Daingerfield, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, Montague, Perkins, Porter, Riner, Spencer, Tinsley and Webb—24.

NAYS—Messrs. Speaker, D. W. Anderson, Arnold, Baldwin, Carter, Coleman, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, Morton, Mustain, Overby, Parr, Pedigo, Pollard, Quesenberry, J. Roberts, Robinson, Ryan, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Williams and Young—50.

Mr. RYAN moved to reconsider the vote by which the House refused to order the bill to be engrossed; which motion was rejected—yeas 26; nays 49.

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Daingerfield, Elam, A. W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, Montague, Wm. L. Moore, Pedigo, Perkins, Phillips, Porter, Riner, Spencer, Tinsley, Waddill and Webb—26.

NAYS—Messrs. Speaker, D. W. Anderson, Arnold, Baldwin, Carter, Coleman, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, Morton, Mustain, Overby, Parr, Pollard, Quesenberry, J. Roberts, Robinson, Ryan, Scott, Smith, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, Williams and Young—49.

The SPEAKER laid before the House a communication from the governor, as follows:

To the House of Delegates:

I have the honor to return, without my signature, House bill No. 42, being an "act to prevent fraud in the sale of lard."

The act prohibits the sale, by any person, of any article intended for use as lard, in any vessel bearing a label with the words "pure," "refined," "family" or either of them alone or in combination with other words, unless it is the "pure fat of the swine." When this is not the case, the vessel containing it must be marked on the top or outer side in letters not less than one-half an inch in length, "compound lard." Any person violating this act shall be punished by fine not exceeding fifty dollars for the first, or one hundred dollars for any subsequent offence.

My objections are:

That the act as framed, will, as a law, be inoperative, because no provision is made for such an inspection as will properly determine whether the lard received by the Virginia merchants and marked "refined" or "family" or "pure," is the "pure fat of the swine," or whether it should be marked "compound lard" before it is resold. It is clear, in order to carry out the conditions of this bill, it would require an innumerable number of inspectors, for an expensive chemical analysis would be necessary in each case, and even then it is most difficult to ascertain what is "the pure fat of the swine." I am informed that nearly four-fifths of all the lard put on the market is not the "pure fat of the swine," but is purposely mixed with other ingredients, in themselves pure and harmless; and which promote the taste, transportation and the preservation of the lard. It is well known that "the pure fat of the swine," without such compounding, will not keep in warm climates, but will melt, run out the vessels and be lost.

Cotton-seed oil is now one of the ingredients largely entering into the composition of lard. In the opinion of many, the more cotton-seed oil and less fat of the swine in the compounded article, the better the quality of the lard. Indeed, experiments are now in progress to ascertain whether lard cannot be made from cotton-seed oil alone, which, it is claimed, would be more palatable and less expensive than lard made from hog fat. I am informed that of the various brands of lard now offered for sale by our merchants, that the purchaser has his option of buying the "pure fat of the swine" or lard compounded with other substances, and that nearly four-

fifths of the sales are of "compounded lard." But apart from these reasons the bill, should it become a law, would operate most unequally and oppressively upon Virginia merchants. I am informed that some ten million pounds of lard are received here per annum, about eight million of which is sold in North and South Carolina. It can be easily demonstrated that if these packages have to be broken open, inspected by chemists and re-marked before being sold again, that such restrictions placed upon our merchants would eliminate from this market the trade in that article. As a general thing, I believe that inspection laws are restrictions on trade, operate injuriously, and should be abolished. Indeed the Virginia State agricultural society so declared, after an exhaustive discussion, twenty-five years ago, and the State has been returning since to the safer ground, that the purchaser of most articles must depend upon his own judgment and that of the saller, and not on the certificate of an inspector.

The Legislature has just changed the compulsory inspection laws, so far as they refer to flour and fish; why should they follow that with such legislation as will compel an inspection of lard?

I return the bill, therefore, to the House for their reconsideration, for while it will undoubtedly promote and encourage, at some expense to the State, the science of chemistry, I regard it as an act to prevent our merchants from having that trade in this commodity which States enjoy who have no such restrictive laws, rather than an act to prevent fraud in its sale.

FITZHUGH LEE.

Mr. MCCANDLISH moved to pass by the communication and have the same printed; which motion was rejected.

The question being, Shall the House after reconsideration agree to pass the bill notwithstanding the objections of the governor, was put and decided in the negative—yeas 26; nays 44.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Ash, Baldwin, Bristow, Craft, Daingerfield, Elam, Evans, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McKee, Montague, Parr, Perkins, Phillips, Riner, Roane, Robinson, Scott, Spencer, Waddill, Webb and Young—26.

NAYS—Messrs. Speaker, Arnold, John A. Browne, Buford, Carter, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, Morton, Mustain, Overby, Pedigo, Pollard, J. Roberts, Ryan, Smith, Starke, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Watkins and Williams—44.

No. 222. House bill to authorize the board of supervisors of the county of Isle of Wight to increase the salary of the county judge to six hundred dollars, was, on motion of Mr. JOHNSON, taken up out of its order on the calendar.

On motion of Mr. JOHNSON, the bill was recommitted to the committee for courts of justice.

No. 342. House joint resolution authorizing the sale of the State's interest in the Chesapeake and Ohio railroad company, was, on motion of Mr. BUFORD, taken up out of its order on the calendar.

Mr. BUFORD moved that the joint resolution be read a second time this day; which was agreed to (two-thirds in the House so determining).

The joint resolution was read a second time and ordered to be engrossed to be read a third time.

The joint resolution being presently engrossed,

Mr. BUFORD moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The joint resolution was read a third time and agreed to—yeas 69.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, John A. Browne, Buford, Carter, Coleman, Corbett, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Flood, Gordon, Graves, Hay, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Magruder, McClintic, McKee, Montague, William L. Moore, Morton, Mustain, Overby, Parr, Perkins, Pollard, Quesenberry, Riner, Roane, J. Roberts, Robinson, Ryan, Scott, Sebrell, Smith, Spencer, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, Williams and Young—69.

Mr. BUFORD moved to reconsider the vote by which the bill was passed; which motion was rejected.

The hour of one o'clock P. M. having arrived, special orders,

No. 162. House bill to amend and re-enact sections 3345 and 3346 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, was, on motion of Mr. WADDILL, postponed till Tuesday, the 21st day of February.

No. 163. House bill to allow husband and wife to testify in behalf of each other in criminal cases, was, on motion of Mr. WADDILL, postponed till Tuesday, the 21st day of February.

The SPEAKER appointed Messrs. RYAN, KINCHELOE and CORBETT the committee of conference on the part of the House to consider the disagreeing votes of the two on Senate bill entitled an act to incorporate the Mount Vernon avenue association.

The hour of two o'clock P. M. having arrived, the chair was vacated until four o'clock P. M.

EVENING SESSION.

The chair was resumed at four o'clock P. M.

On motion of Mr. BROWNE of *Nansemond*,

Resolved, That all speeches made by members upon matters coming up for consideration at the evening sessions be limited to five minutes, and that no member be allowed to speak more than once on the same subject without the unanimous consent of the House.

The committee on enrolled bills report that the governor has approved the following bills:

An act to make Nansemond river, in the county of Nansemond, between certain points, a lawful fence.

An act to incorporate the Farmers' independent and benevolent society of Southampton county.

An act for the protection of game in the county of Pittsylvania.

No. 170. Senate bill entitled an act to incorporate the Montross land and improvement company.

The amendment proposed by the committee on propositions and grievances as follows:

Second section, 1st and 2d lines, strike out "twenty-five thousand dollars" and insert "ten thousand dollars nor more than two hundred and fifty thousand dollars."

—Was agreed to.

The bill was ordered to its third reading.

The amendment being presently engrossed, the bill was read a third time and passed.

The following Senate bills were read a third time and passed:

No. 303. Senate bill entitled an act to incorporate the Petersburg manufacturing company.

No. 342. Senate bill entitled an act to incorporate the Big Stone Gap improvement company.

No. 155. Senate bill entitled an act extending the time for the collection of certain taxes and levies to J. R. Rawlings, late treasurer of Brunswick county.

No. 311. Senate bill entitled an act to provide for the working and keeping in repair the public roads and bridges in Page county, for opening new roads and changing the location of existing roads.

Motions severally made to reconsider the votes by which Senate bills Nos. 303, 342, 155 and 311 were passed, were rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 208. House bill to incorporate the South View orphan home.

No. 259. House bill to authorize Theodore Haughwont to erect a pier head on his oyster grounds on James river.

No. 240. House bill for the relief of J. B. Dortch, of Halifax county, from a fine imposed by Halifax county court.

No. 270. House bill to provide for the more efficient collection of road fines in the county of Fluvanna.

No. 258. House bill to authorize Theodore Haughwont to erect a wharf on Chuckatuck creek.

The following House engrossed bills were read a third time and passed:

No. 149. House engrossed bill to incorporate the savings bank of the Grand fountain united order of true reformers.

No. 157. House engrossed bill to incorporate the Midlothian coal company.

No. 228. House joint resolution authorizing the governor to hire convicts to the Abingdon coal and iron railroad company, was read a third time and agreed to.

Motions severally made to reconsider the vote by which House bill No. 157 was passed, and by which House joint resolution No. 228 was agreed, were rejected.

No. 143. House bill for the relief of B. S. English, deputy treasurer of Westmoreland, was read a second time and amended.

The bill being presently engrossed, Mr. MAYO moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining.)

The bill was read a third time and passed—yeas 69.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Coleman, Corbett, Crawford, Crismond, Curtis, Dabney, Daingerfield, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Flood, Gordon, Graves, A. W. Harris, Hay, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Martin, Magruder, Mayo, McCandlish, McClintic, McKee, Montague, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Ryan, Sebrell, Smith, Spencer, Terrell, Tinsley, R. H. Tyler, Waddill, Wilkins, Williams and Young—69.

No. 207. House bill to incorporate the Young men's christian association of Portsmouth, Va., was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. HERBERT moved that it be read a third time this day; which motion was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 68; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, John A. Browne, Buford, Carter, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Dabney, Daingerfield, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Flood, Gordon, A. W. Harris, J. S. Harris, Hay, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Martin, Magruder, Mayo, McCandlish, McClintic, Montague, Wm. L. Moore, Mustain, Overby, Parr, Phillips, Pollard, Porter, Quesenberry, Riner, Roane, Robinson, Ryan, Sebrell, Smith, Spencer, Terrell, Tinsley, R. H. Tyler, Waddill, Watkins, Wilkins, Williams and Young—68.

EVENING SESSION.

The chair was resumed at four o'clock P. M.

On motion of Mr. BROWNE of *Nansemond*,

Resolved, That all speeches made by members upon matters coming up for consideration at the evening sessions be limited to five minutes, and that no member be allowed to speak more than once on the same subject without the unanimous consent of the House.

The committee on enrolled bills report that the governor has approved the following bills:

An act to make Nansemond river, in the county of Nansemond, between certain points, a lawful fence.

An act to incorporate the Farmers' independent and benevolent society of Southampton county.

An act for the protection of game in the county of Pittsylvania.

No. 170. Senate bill entitled an act to incorporate the Montross land and improvement company.

The amendment proposed by the committee on propositions and grievances as follows:

Second section, 1st and 2d lines, strike out "twenty-five thousand dollars" and insert "ten thousand dollars nor more than two hundred and fifty thousand dollars."

—Was agreed to.

The bill was ordered to its third reading.

The amendment being presently engrossed, the bill was read a third time and passed.

The following Senate bills were read a third time and passed:

No. 303. Senate bill entitled an act to incorporate the Petersburg manufacturing company.

No. 342. Senate bill entitled an act to incorporate the Big Stone Gap improvement company.

No. 155. Senate bill entitled an act extending the time for the collection of certain taxes and levies to J. R. Rawlings, late treasurer of Brunswick county.

No. 311. Senate bill entitled an act to provide for the working and keeping in repair the public roads and bridges in Page county, for opening new roads and changing the location of existing roads.

Motions severally made to reconsider the votes by which Senate bills Nos. 303, 342, 155 and 311 were passed, were rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 208. House bill to incorporate the South View orphan home.

No. 259. House bill to authorize Theodore Haughwont to erect a pier head on his oyster grounds on James river.

No. 240. House bill for the relief of J. B. Dortch, of Halifax county, from a fine imposed by Halifax county court.

No. 270. House bill to provide for the more efficient collection of road fines in the county of Fluvanna.

No. 258. House bill to authorize Theodore Haughwont to erect a wharf on Chuckatuck creek.

The following House engrossed bills were read a third time and passed:

No. 149. House engrossed bill to incorporate the savings bank of the Grand fountain united order of true reformers.

No. 157. House engrossed bill to incorporate the Midlothian coal company.

No. 228. House joint resolution authorizing the governor to hire convicts to the Abingdon coal and iron railroad company, was read a third time and agreed to.

Motions severally made to reconsider the vote by which House bill No. 157 was passed, and by which House joint resolution No. 228 was agreed, were rejected.

No. 143. House bill for the relief of B. S. English, deputy treasurer of Westmoreland, was read a second time and amended.

The bill being presently engrossed, Mr. MAYO moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining.)

The bill was read a third time and passed—yeas 69.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Coleman, Corbett, Crawford, Crismond, Curtis, Dabney, Daingerfield, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Flood, Gordon, Graves, A. W. Harris, Hay, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Martin, Magruder, Mayo, McCandlish, McClintic, McKee, Montague, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Ryan, Sebrell, Smith, Spencer, Terrell, Tinsley, R. H. Tyler, Waddill, Wilkins, Williams and Young—69.

No. 207. House bill to incorporate the Young men's christian association of Portsmouth, Va., was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. HERBERT moved that it be read a third time this day; which motion was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 68; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, John A. Browne, Buford, Carter, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Dabney, Daingerfield, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Flood, Gordon, A. W. Harris, J. S. Harris, Hay, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Martin, Magruder, Mayo, McCandlish, McClintic, Montague, Wm. L. Moore, Mustain, Overby, Parr, Phillips, Pollard, Porter, Quesenberry, Riner, Roane, Robinson, Ryan, Sebrell, Smith, Spencer, Terrell, Tinsley, R. H. Tyler, Waddill, Watkins, Wilkins, Williams and Young—68.

NAYS—Mr. Johnson—1.

Mr. HERBERT moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 141. House bill to provide for a new registration in the city of Manchester and the counties of Chesterfield and Powhatan was read a second time and amended.

Mr. HERRING moved to amend the bill by striking out, in 6th line of 2d section, "ten" and inserting "sixty"; which was rejected—yeas 23; nays, 35.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Baskerville, Bristow, Goodman Brown, Corbett, Craft, Daingerfield, Elam, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, Montague, Wm. L. Moore, Pedigo, Phillips, Quesenberry, Riner, Roane, Spencer, and Waddill—23.

NAYS—Messrs. Speaker, Arnold, Baldwin, Buford, Carter, Coleman, Counts, Crawford, Crismond, Dabney, Echols, Edmondson, Edwards, Figgatt, Flood, Gordon, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, Morton, Mustain, Overby, Ryan, Sebrell, Terrell, R. H. Tyler, Wilkins and Williams—35.

The bill was ordered to be engrossed to be read a third time.

The following House bills were read a second time, amended and ordered to be engrossed to be read a third time:

No. 256. House bill to incorporate the Augusta telephone and telegraph company.

No. 219. House bill to incorporate the Suburban and Exposition railway company.

No. 267. House bill to constitute the town of Salem and adjoining territory a separate school district.

The bills being presently engrossed, motions severally made to read them a third time this day, respectively, were agreed to (two-thirds in the House so determining), and passed.

On motion of Mr. HUFFMAN, the title to House bill No. 267 was amended by striking out the words, "And adjoining territory."

Motions severally made to reconsider the votes by which House bills Nos. 256, 219 and 267 were passed, were rejected.

No. 253. House bill to incorporate the Richmond and Eltham railroad and navigation company, was read a second time and amended.

Mr. POLLARD moved to add at end of the 1st section the following: "But no authority is intended to be given to condemn lands for such wharves"; which was rejected.

The bill was ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. FIGGATT moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

Mr. FIGGATT moved to reconsider the votes by which the bill was passed; which motion was rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 257. House bill to amend and re-enact section 13 of an act for the preservation of oysters, and to obtain revenue for privilege of taking them within the waters of the commonwealth, approved March 4, 1884, as amended by the act approved August 27, 1884, as amended by the acts approved November 26 and November 29, 1884, as amended by the act of March 6, 1886, as amended by the act approved April 28, 1887.

No. 232. House bill to provide a new registration of voters in the town of North Danville, Pittsylvania county.

No. 178. House bill repealing an act protecting rabbits or hares in the county of Chesterfield.

No. 248. House bill to incorporate the Virginia building and loan company.

No. 254. House bill to incorporate the Green Springs tramway company.

No. 304. House bill to authorize the qualified voters of Warwick county to vote upon the question of the removal of the courthouse of said county.

No. 273. House bill to amend and re-enact the charter of Waynesboro' as approved April 28, 1874, and amended March 15, 1875.

No. 229. House bill to incorporate the Gordonsville and Sperryville telephone company.

No. 202. House bill to authorize the surviving trustees of Union academy, of Appomattox county, to fill vacancies.

No. 172. House bill to incorporate Brambleton lodge, No. 56, Knights of Pythias, of Norfolk city, Va.

House bills Nos. 257, 232, 208, 178, 248, 254, 304, 273, 229, 202 and 172 being presently engrossed, were, on motions severally made, read a third time this day, respectively (two-thirds in the House so determining), and passed.

Motions severally made to reconsider the votes by which the bills were passed, were rejected.

On motion of Mr. RYAN, the House adjourned until to-morrow at twelve o'clock M.

WEDNESDAY, FEBRUARY 8, 1888.

On motion of Mr. TYLER of *Prince William*, the reading of the Journal was dispensed with.

Communications from the Senate, by their clerk, were read as follows:

In Senate, February 6, 1888.

The Senate have passed House bills entitled an act to incorporate the Star of Bethlehem order of Galilean fisherman, No. 23; and an act to amend and re-enact sections 1, 2, 3 and 18 of chapter 264 of Acts of Assembly 1878–'9, as amended by chapter 61 of Acts of Assembly 1885–'6, entitled an act to provide for working and keeping the public roads in order in Prince Edward county, No. 133.

They have passed Senate bill entitled an act to incorporate the town of Big Stone Gap in Wise county, No. 61.

And they have agreed to Senate joint resolution requesting our representatives and instructing our Senators in Congress to secure the passage of an act assigning to the United States department of agriculture the control of a portion of the Arlington estate for the establishment of an agricultural experimental station.

In which bills and joint resolution they respectfully request the concurrence of the House of Delegates.

In Senate, February 7, 1888.

The Senate have passed Senate bills entitled an act to change the name of the Virginia boom and log company to Clinchport improvement company, and to amend sections 1, 2, 3 and 6 of its charter, No. 257; an act to incorporate the Big Stone Gap steel and iron company, No. 260; an act to incorporate the Black Mountain coal and iron company, No. 291; and an act to amend an act entitled an act to legalize certain subscriptions of the town of Goodson, Virginia, to the South Atlantic and Ohio railroad company upon certain conditions, approved May 24, 1887, No. 259; in which bills they respectfully request the concurrence of the House of Delegates.

Senate bills Nos. 61, 259, 257, 260 and 291 were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

Senate joint resolution requesting our representatives and instructing our senators in Congress to secure the passage of an act assigning to the United States department of agriculture the control of a portion of the Arlington estate for the establishment of an agricultural experiment station, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. RYAN, requiring its reference to a committee.

The following Senate bills were reported from the committee on privileges on elections:

No. 262. Senate bill entitled an act to provide for a new registration of voters in the county of Alexandria.

No. 263. Senate bill entitled an act to provide for a new registration of voters in the city of Alexandria.

The following Senate bills were reported from the committee on propositions and grievances:

No. 42. Senate bill entitled an act to incorporate the Samaritan beneficial society.

No. 52. Senate bill entitled an act to extend the charter and franchises of the Southern improvement company, with an amendment.

No. 121. Senate bill entitled an act to incorporate the Nelson manufacturing company.

No. 343. House bill to protect rabbits or hares in the county of Hanover, reported from the committee on propositions and grievances, was read a first time.

No. 344. House bill to provide the manner in which aid shall be extended to the poor of the several magisterial districts of Rockbridge county, who are not supported in the county poor-house, reported from the committee on counties, cities and towns, was read a first time.

No. 345. House bill to amend and re-enact sections 128 and 130 of chapter 10 of Code of 1887, in relation to counting and canvassing the votes cast at any election, reported from the committee on privileges and elections, was read a first time.

No. 346. House bill to exempt the property of the International committee of the young men's christian association, located at the University of Virginia, from taxation, reported from the committee on finance, was read a first time.

No. 347. House bill to amend and re-enact sections 2 and 3 of the Fauquier telephone company, placed on the calendar on motion of Mr. KINCHELOE, was read a first time.

Mr. WEST moved that No. 43, Senate bill entitled an act to amend section 1 of chapter 14 of an act to fix the times for holding the terms of the circuit court of Bedford county, approved 14th January, 1882, be taken up from the table; which was agreed to.

The bill was placed on the calendar.

The following report was presented:

To the House of Delegates:

Your committee for courts of justice, to which was referred the resolution in regard to the hire of convicts, in response to the enquiry, "Whether the State has the constitutional right to contract with the different works of internal improvement, receiving for the hire of her convicts bonds and not money," report that it is of opinion that the State has the right to receive bonds for the hire of her convicts, and that it is not in conflict with section 15 of article 10 of the Constitution for the State so to do, the committee being of opinion that the clause forbidding the State "to become a party to

or interested in any work of internal improvement" refers solely to the States owning any stocks or bonds of any works of internal improvement as a subscriber or being a party to any such work, but the clause referred to does not in any way impair the right of the State to accept the obligations of any railroad or other work of internal improvement in payment of debts contracted by them and due to the State.

JAMES HAY, *Chairman.*

February 8, 1888.

The following were presented and referred under Rule 37:

By Mr. SCOTT: A bill to require the board of supervisors of each county within the State to post notice on or before the 1st day of October of each year of the receipts and expenditures of the preceding year at each voting precinct in said county. Referred to the committee on counties, cities and towns.

By Mr. ROANE: A bill to authorize the board of supervisors of Gloucester county to rescind an order in relation to working public roads. Referred to the committee on counties, cities and towns.

By Mr. SEBRELL: A bill to repeal the charter of the town of Emporia. Referred to the committee on counties, cities and towns.

By Mr. HOBSON: A bill to incorporate the Southern paper and pulp company. Referred to the committee on propositions and grievances.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 288. House bill to regulate the construction of railroads through mountain passes and defiles, was, on motion of Mr. DABNEY, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. DABNEY moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

Mr. DABNEY moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 250. House bill to incorporate the Virginia publishing company, was, on motion of Mr. BUFORD, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. BUFORD moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

Mr. BUFORD moved to reconsider the vote by which the bill was passed; which motion was rejected.

On motion of Mr. RYAN, the House proceeded to the consideration of House engrossed bills.

No. 80. House engrossed bill for the relief of Joseph Viars, of the county of Dickenson, from a fine imposed by the county court of said county, was read a third time and rejected—yeas 46; nays 19.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. D. W. Anderson, Baldwin, Baskerville, Bristow, Carter, Coleman, Corbett, Counts, Craft, Crawford, Daingerfield, Dickey, Edmondson, Edwards, Elam, Ewell, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Leggett, McCandlish, McClintic, Montague, Wm. L. Moore. Parr, Pedigo, Perkins, Phillips, Porter, Riner, Roane, Robinson, Scott, Sebrell, Spencer, Terrell, Tinsley, R. H. Tyler, Waddill, Webb, West and Young—46.

NAYS—Messrs. Speaker, Arnold, Buford, Catlett, Crismond, Dabney, Figgatt, Gordon, J. S. Harris, Hay, Johnson, Kincheloe, Magruder, McKee, Ryan, Silver, Watkins, Wilkins and Williams—19.

Mr. HAY moved to reconsider the vote by which the bill was rejected; which motion was rejected.

The following House engrossed bills were read a third time and passed:

No. 44. House engrossed bill to incorporate the Farmers' benevolent fire association of Franklin county.

No. 140. House engrossed bill to provide for a new registration in the city of Staunton.

No. 168. House engrossed bill for the relief of E. L. Costin, late treasurer of Northampton county.

No. 285. House engrossed bill supplementary to the laws now in force for working the roads and repairing and rebuilding bridges in the county of Caroline.

No. 259. House engrossed bill to authorize Theodore Haughwont to erect a pier-head on his oyster grounds on James river.

No. 146. House engrossed bill for the relief of the tax-payers of Carroll county.

No. 177. House engrossed bill to incorporate the West-End water company.

No. 169. House engrossed bill to amend and re-enact an act, approved May 6, 1887, entitled an act to incorporate the Mineral railroad company.

No. 258. House engrossed bill to authorize Theodore Haughwont to erect a wharf on Chuckatuck creek.

No. 141. House engrossed bill to provide for a new registration in the city of Manchester, and the counties of Chesterfield and Powhatan.

No. 197. House engrossed bill to amend and re-enact section 16 of an act for the preservation of oysters and to obtain revenue therefrom for the privilege of taking them in the waters of the commonwealth, approved March 4, 1884.

On motion of Mr. BRISTOW, the title was amended so as to read as follows: "To regulate and establish measures to be used in buying and selling oysters in this State in the shells."

No. 270. House engrossed bill to provide for the more efficient collection of road fines in the county of Fluvanna.

On motion of Mr. ANDERSON of *Fluvanna* the title was amended so as to read as follows: "To amend and re-enact sections 22, 27 and 28 of chapter 181 of Acts of 1874–'5, so far as they relate to the county of Fluvanna."

No. 240. House engrossed bill for the relief of J. B. Dortch, of Halifax county, from a fine imposed by Halifax county court—yeas 60; nays 3.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. D. W. Anderson, Baldwin, Bristow, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Daingerfield, Echols, Edmondson, Edwards, Elam, Ewell, Figgatt, Gordon, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Jones, Kincheloe, Leggett, Martin, McCandlish, McKee, Montague, Wm. L. Moore, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pollard, Porter, Quesenberry, Riner, Roane, J. Roberts, Ryan, Saunders, Sebrell, Silver, Spencer, Terrell, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Wilkins, Williams, Wright and Young—60.

NAYS—Messrs. Hay, Johnson and Magruder—3.

No. 132. House engrossed bill to amend the law in relation to working the public roads of Patrick and Grayson counties, was, on motion of Mr. PARR, dismissed.

No. 90. House engrossed bill, was, on motion of Mr. TINSLEY, passed by.

Motions severally made to reconsider the votes by which House engrossed bills No. 177, 197, 168, 44, 140, 146, 285, 259, 240, 270 and 141 were passed, were rejected.

Ordered, That Mr. MCCANDLISH carry House bill No. 177 to the Senate and request their concurrence.

Mr. BROWNE of *Nansemond* moved to reconsider the vote by which No. 170, Senate bill entitled an act to incorporate the Montrose land and improvement company, was passed; which motion was rejected.

Ordered, That Mr. BROWNE of *Nansemond* carry the bill to the Senate and request their concurrence in the amendment of the House.

Mr. WADDILL moved to reconsider the vote by which House engrossed bill No. 149, entitled an act to incorporate the savings' bank of the Grand fountain united order of true reformers, was passed; which motion was rejected.

Mr. WADDILL moved to reconsider the vote by which House engrossed bill No. 143, for the relief of B. S. English, deputy treasurer of Westmoreland county, was passed; which motion was rejected.

A message was received from the Senate by Mr. Twyman, who informed the House that the Senate had passed House bill entitled an act to incorporate the Gordonsville and Sperryville telephone company, No. 229.

The hour of one o'clock P. M. having arrived, special order,

House engrossed bill to amend and re-enact section 4 of an act entitled an act to regulate the practice of medicine and surgery, approved January 31, 1884, came up.

Mr. HAY moved the pending question; which was ordered—yeas 36; nays 34.

On motion of Mr. POLLARD, the vote was recorded as follows:

YEAS—Messrs. Speaker, Arnold, Baldwin, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Dabney, Dickey, Edmondson, Edwards, Figgatt, Flood, Gordon, J. S. Harris, Hay, Hobson, Hunter, Jones, Kincheloe, Mustain, Overby, Pollard, Quesenberry, Riner, Sebrell, Silver, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins and Young—36.

NAYS—Messrs. D. W. Anderson, Baskerville, Bristow, John A. Browne, Buford, Corbett, Daingerfield, Elam, Ewell, Herbert, Herring, Huffman, Jarratt, Johnson, Martin, Magruder, McCandlish, McKee, Montague, Morton, Pedigo, Perkins, Phillips, Porter, Roane, J. Roberts, Saunders, Scott, Spencer, Tinsley, Waddill, Webb, Williams and Wright—34.

The question being on the passage of the bill, was put and decided in the affirmative—yeas 36; nays 32.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Baldwin, Bristow, John A. Browne, Catlett, Coleman, Corbett, Crismond, Dabney, Edwards, Figgatt, Flood, Gordon, Hay, Herbert, Hobson, Huffman, Hunter, Kincheloe, Montague, Morton, Mustain, Perkins, Phillips, Pollard, Saunders, Sebrell, Silver, Terrell, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins and Wright—36.

NAYS—Messrs. Arnold, Baskerville, Buford, Carter, Counts, Craft, Dickey, Edmondson, Elam, Ewell, J. S. Harris, Jarratt, Jones, Johnson, Leggett, Magruder, McCandlish, McKee, Parr, Pedigo, Porter, Quesenberry, Riner, Roane, J. Roberts, Scott, Smith, Spencer, Tinsley, Lyon G. Tyler, Williams and Young—32.

Mr. DAINGERFIELD stated that he would have voted in the affirmative, but was paired with Mr. HERRING.

Messrs. CARDWELL, MARTIN, CRAWFORD, MOORE of *Tazewell* and OVERBY stated that they would have voted in the negative, but were paired with Messrs. MAYO, TREAT, RYAN, SANGER and DUPUY, respectively.

The hour of two o'clock P. M. having arrived, the chair was vacated until four o'clock P. M.

EVENING SESSION.

The chair was resumed at four o'clock P. M.

No. 161. Senate bill entitled an act for the relief of J. R. Moss, administrator of W. A. Moss, late treasurer of the county of Buckingham.

On motion of Mr. PERKINS, the bill was amended by striking out all of the 1st section and inserting in lieu thereof the following:

1. Be it enacted by the General Assembly of Virginia, That the judge of Buckingham county court be, and he is hereby, authorized to appoint a collector or collectors to collect for said administrator, with full power of distress, such tickets for State taxes, licenses, county and school levies as yet remain in the hands of said administrator uncollected for said years, which have not been returned as insolvent or delinquent, provided the same be collected by the 1st day of January, 1889.

The bill was ordered to its third reading.

The amendment being presently engrossed, the bill was read a third time and passed.

Mr. PERKINS moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 318. Senate bill entitled an act to incorporate the Bristol and Danville railroad company.

The amendment proposed by the committee on roads and internal navigation as follows:

Page 4, line 6, after the word "corporation" insert, "In the operation and management of properties in this State and."

—Was agreed to.

The bill was ordered to its third reading.

The amendment being presently engrossed, the bill was read a third time and passed.

Mr. PARR moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 43. Senate bill entitled an act to amend section 1 of chapter 14 of an act to fix the times for holding the terms of the circuit court of Bedford county, approved 14th January, 1882.

Mr. WEST moved to strike out "twenty-seventh" wherever it appears and insert "first"; which was agreed to.

The bill was ordered to its third reading.

The amendment being presently engrossed, the bill was read a third time and passed.

Mr. WEST moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 98. House bill entitled an act to authorize the erection of a Washington Masonic memorial temple in Fredericksburg.

The amendments of the Senate were agreed to.

Motions severally made by Mr. CRISMOND to reconsider the votes by which the amendments of the Senate were agreed to, were rejected.

No. 208. House engrossed bill to incorporate the South View orphan home.

Mr. HUFFMAN moved to reconsider the vote by which the bill was ordered to be engrossed; which motion was agreed to.

On motion of Mr. HUFFMAN, the bill was amended by striking out the 5th section.

The bill, as amended, was ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. HUFFMAN moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

Mr. TYLER of *Richmond city* moved to reconsider the vote by which the bill was passed; which motion was rejected.

The following Senate bills were read a third time and passed:

No. 42. Senate bill entitled an act to incorporate the Samaritan beneficial society.

No. 171. Senate bill entitled an act declaring certain ground under water, known as Hog Island flats, open and eligible for the planting and sowing of oysters.

No. 259. Senate bill entitled an act to amend an act entitled an act to legalize certain subscriptions of the town of Goodson, Va., to the South Atlantic and Ohio railroad company upon certain conditions, approved May 24, 1887.

No. 260. Senate bill entitled an act to incorporate the Big Stone Gap steel and iron company.

No. 288. Senate bill entitled an act to incorporate the Loudoun county and Fredericksburg bridge company for the purpose of constructing a bridge at Point of Rocks, in Frederick county, Maryland, across the Potomac river to Loudoun county, Virginia.

No. 41. Senate bill entitled an act extending the time of F. W Payne, late treasurer of King George county, for the collection of certain taxes and levies.

No. 257. Senate bill entitled an act to change the name of the Virginia boom and log company to Clinchport improvement company, and to amend sections 1, 2, 3 and 6 of its charter.

No. 291. Senate bill entitled an act to incorporate the Black Mountain coal and iron company.

Motions severally made to reconsider the votes by which Senate bills Nos. 42, 171, 259, 260, 288, 41, 257 and 291 were passed, were rejected.

The following House bills were read a second time, amended and ordered to be engrossed to be read a third time:

No. 195. House bill to amend section 1 of an act entitled an act to provide for a new registration of voters at Stock Yards precinct, in the county of Roanoke, approved May 18, 1887.

No. 243. House bill to allow J. H. Franklin, W. P. Carter, J. S. Price, W. T. Coxton and P. B. Sydnor, deputy collectors for A. R. Green, treasurer of Halifax county, six months to collect any uncollected tax-tickets in their hands and not returned delinquent for 1882, 1883, 1884, 1885 and 1886.

No. 274. House bill to allow the voters in Carrolton precinct, Isle of Wight county, to vote on the adoption of the no-fence law.

No. 297. House bill to authorize the extension of the Powell's Valley railway from the Tennessee State line across the southwest corner of Virginia to the Kentucky State line, at or near Cumberland Gap.

No. 313. House bill to incorporate the Lynchburg cotton mill and improvement company.

Nos. 195, 243, 274, 297 and 313. House bills being presently engrossed, were, on motions severally made, read a third time this day (two-thirds in the House so determining), respectively, and passed.

On motion of Mr. WATKINS, the title of House bill No. 243 was amended by by inserting after "allow," the following; "A. R. Green, treasurer of Halifax and."

On motion of Mr. BUFORD, the title of House bill No. 297 was amended by striking out "railroad" and inserting "Railway."

Motions severally made to reconsider the votes by which House bills Nos. 243, 274, 297 and 313 were passed, were rejected.

No. 239. House bill for the relief of the tax-payers of Alleghany county, was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. BRISTOW moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 59.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Baskerville, John A. Browne, Buford, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Daingerfield, Dickey, Echols, Edmondson, Edwards, Elam, Ewell, Gordon, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McClintic, McKee, Montague, J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Phillips, Pollard, Porter, Quesenberry, J. Roberts, Ryan, Saunders, Sebrell, Silver, Spencer, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Williams, Wright and Young—59.

Mr. MCCLINTIC moved to reconsider the vote by which the bill was passed; which motion was rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 215. House bill to amend and re-enact section 907 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

No. 269. House bill to require the county judge of Greensville county to submit the question of continuing or repealing the fence law to the qualified voters of Belfield magisterial district, in said county, upon certain conditions.

No. 290. House bill to allow Joseph T. Fudge, treasurer of Alleghany county, further time to distrain, levy and collect certain tax-tickets and license taxes for which he has accounted to the State.

No. 341. House bill to incorporate the town of Mt. Jackson, in the county of Shenandoah.

No. 333. House bill for the relief of John W. Clay, late treasurer of Campbell county.

No. 271. House bill to amend the charter of the city of Staunton.

No. 227. House bill to incorporate the society of the Honorable Knights of Jonathan of the State of Virginia.

No. 301. House bill to provide for making, changing and working roads in the county of Rockingham.

No. 287. House bill to amend and re-enact section 5 of an act entitled an act to incorporate the Craig company.

No. 194. House bill declaring boundary lines legal fences in that portion of Manassas district, in Prince William county, lying north of Warrenton turnpike.

No. 243. House bill to allow A. R. Green, treasurer of Halifax county, and J. H. Franklin, W. P. Carter, J. S. Price, W. T. Croxton and P. B. Sydnor, deputy collectors for A. R. Green, treasurer of Halifax county, six months to collect any uncollected tax-tickets in their hands and not returned delinquent for 1882, 1883, 1884, 1885 and 1886.

No. 234. House bill to incorporate the Middleton and Capon Springs turnpike company.

No. 167. House joint resolution respecting the quarters of the Southern historical society.

No. 176. House bill to incorporate the Foreign mission board of the Southern Baptist convention.

No. 220. House bill to amend the following acts: An act to incorporate the town of Rocky Mount, approved February 17, 1873; an act to amend the act of February 17, 1873, approved April 28, 1874, and amending and re-enacting section 2 of the act approved April 28, 1874, approved March 4, 1884.

No. 213. House bill to empower the judge of the county court of Augusta county to appoint one or more policemen for the various magisterial districts of said county.

No. 330. House bill to authorize a special district school tax in Auburn school district, of the county of Montgomery.

No. 295. House bill to authorize R. H. Atkinson to erect a pier or wharf on his oyster grounds on Chuckatuck creek.

No. 321. House bill to allow the voters of Berkley magisterial district, Spotsylvania, to vote upon a fence law upon certain conditions.

No. 247. House bill to incorporate the Danville tobacco association.

No. 326. House bill to amend an act approved February 19, 1886, to incorporate the Mineral Springs railroad company.

No. 323. House bill to authorize the board of supervisors of Essex to rescind an order in relation to working public roads.

No. 293. House bill to refund to R. C. Tyree certain taxes erroneously paid by him.

No. 296. House bill to incorporate the New River Plateau railway company.

No. 173. House bill to incorporate the Scott telephone and telegraph company in the county of Fauquier.

No. 242. House bill extending the time to Thomas Waller, late treasurer of Stafford county, for the collection and settlement of certain taxes and levies.

No. 340. House bill declaring the James river the main track of the Richmond and Alleghany railroad, and the boundary lines of the farms within certain limits in the county of Amherst, a lawful fence.

Nos. 215, 269, 290, 341, 333, 271, 227, 301, 287, 194, 234, 167, 173, 242, 340, 176, 220, 218, 330, 295, 321, 247, 326, 323, 293 and 296. House bills being presently engrossed, were, on motions severally made, read a third time this day, respectively, and passed.

Motions severally made to reconsider the votes by which the bills were passed, were rejected.

No. 280. House bill to amend and re-enact sections 2 and 3 of an act passed January 23, 1861, entitled an act amending and re-enacting the act entitled an act to incorporate the Jackson orphan asylum at Norfolk, passed February 26, 1856, was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. SEBRELL moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

No. 275. House bill authorizing a special election to be held in Warren county to ascertain the sense of the voters upon the subject of the erection of certain bridges across the Shenandoah river, and to issue the bonds of the county to raise money therefor, was read a second time and ordered to be engrossed to be read a third time.

On motion of Mr. HAY, the House adjourned until to-morrow at twelve o'clock M.

THURSDAY, FEBRUARY 9, 1888.

On motion of Mr. PILCHER, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 8, 1888.

The Senate have passed House bills entitled an act to incorporate the Newport News cemetery company, No. 41; and an act to extend the time of settlement of P. D. Divers, late treasurer of Franklin county, with the supervisors of his county, No. 61.

They have passed, with amendment, House bill entitled an act to amend and re-enact section 848 of chapter 369, Code of Virginia of 1887, relating to the duties and compensation of district officers, No. 94.

They have agreed to the amendment proposed by the House of Delegates to Senate bill entitled an act to incorporate the Montrose land and improvement company, No. 170.

They have passed Senate bills entitled an act to amend the 8th section of an act to incorporate the James River bridge company, No. 88; an act to amend and re-enact section 10 of an act in force February 21, 1882, entitled an act to incorporate the Virginia and Carolina railroad company, as amended by an act approved March 6, 1886, No. 89; an act to incorporate the Virginia immigration, land and improvement company, No. 134; an act to incorporate the Owl club, No. 1, of the city of Norfolk, Va., No. 139; an act to incorporate the Pocahontas towing and transportation company, No. 154; an act for working and keeping in repair the roads in Tazewell county, No. 188; an act to incorporate the Bank of Richmond, No. 194; an act to incorporate the Lynchburg Baptist seminary, No. 204; an act to change the name of the Lynchburg agricultural and mechanical society, No. 221; an act to provide for submitting to the qualified voters of the State the question of a constitutional convention, No. 228; an act to amend and re-enact sections 2 and 3 of an act entitled an act to empower the board of supervisors of Bath county to repair a part of the Warm Springs and Huntersville turnpike road, and to borrow money therefor, approved December 1, 1884, No. 229; an act to amend and re-enact section 6 of an act approved the 1st day of March, 1886, entitled an act to incorporate the Lynchburg perpetual building and loan company, No. 232; an act to incorporate the Game Point association, No. 253; an act to incorporate the Isle of Wight and Nansemond lumber and transportation company, No. 268; an act extending the time for the collection of certain taxes and levies to J. P. Gilliam, treasurer of Chesterfield county, Virginia, No. 270; an act to incorporate the Alexandria gentlemen's driving club, No. 273; an act to incorporate the Bessemer steel and iron company, No. 292; an act to incor-

porate the Oakwood Hebrew cemetery association, No. 307; an act to incorporate the Mount Vernon fire insurance company of Alexandria, Va., No. 310; an act to amend the charter of the city of Richmond by adding additional sections to chapter 4, concerning city officers, so as to provide for the appointment of a board of public interests, No. 321; an act to incorporate the Mecklenburg toll bridge company, No. 322; an act to amend and re-enact chapter 369 of the Extra Session Acts 1887, entitled an act to amend and re-enact chapter 413, Session Acts 1885-'6, entitled an act to prescribe the time for the holding of the terms of the courts of the Eighth judicial circuit, approved May 21, 1887, No. 325; an act to prevent the granting of unappropriated marsh or meadow lands on the Eastern Shore of Virginia, No. 326; an act to provide for submitting to the qualified voters of the State the question of a constitutional convention, No. 328; an act to prescribe the time for killing partridges in the county of Accomac, No. 329; an act to authorize the supervisors of Amherst county to issue bonds for the purpose of returning outstanding bonds, No. 333; an act to amend and re-enact the 23rd section of the charter of the city of Richmond, in relation to encroachment on streets, No. 335; and an act to authorize the mayor and common council of the town of Liberty to borrow for said corporation a sum of money not exceeding twenty thousand dollars, for the purpose of completing or making permanent improvements, No. 338.

In which amendments and bills they respectfully request the concurrence of the House of Delegates.

No. 94. House bill, was referred to the committee on counties, cities and towns.

Nos. 228 and 325. Senate bills, were read twice and referred to the committee for courts of justice.

No. 134. Senate bill, was read twice and referred to the committee on propositions and grievances.

Nos. 88 and 335. Senate bills, were read twice and referred to the committee on counties, cities and towns.

Nos. 89 and 268. Senate bills, were read twice and referred to the committee on roads and internal navigation.

No. 270. Senate bill, was read twice and referred to the committee on finance.

Nos. 328, 329, 333, 338, 194, 139, 154, 204, 188, 326, 322, 232, 221, 229, 253, 273, 307, 310, 292 and 321, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

No. 44. Senate bill entitled an act to authorize the circuit and corporation courts of this commonwealth to render judgments against receivers and commissioners and purchasers at judicial sales and their sureties in certain cases, was reported from the committee for courts of justice, with amendments.

No. 18 and 21 (embraced in one). Senate bill to incorporate the Hampton and Old Point railway company, was reported from the committee on roads and internal navigation, with amendments.

No. 163. Senate bill entitled an act to repeal an act entitled an act to limit the time within which the South Atlantic and Ohio railroad company shall commence and complete its road, approved March 10, 1884, and to legalize all corporate acts which the said company may have performed since the 1st day of December, 1887, was reported from the committee on roads and internal navigation, with an amendment in the nature of a substitute.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 348. House bill to amend and re-enact section 4079 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

No. 349. House joint resolution proposing amendments to section 3, article 10, of the Constitution of Virginia, in relation to taxation and finance.

No. 350. House bill extending the time to Charles W. Woolfolk, treasurer of Orange county, for the collection of certain taxes and levies, reported from the committee on finance, was read a first time.

No. 351. House bill to incorporate the Southern paper and pulp company, reported from the committee on propositions and grievances, was read a first time.

The following House bills, reported from the special committee on the subject of the equalization of taxation on real estate, were read a first time:

No. 352. House bill to amend and re-enact section 441 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth.

No. 353. House bill to create a board of equalization of the assessments of real estate for purposes of taxation.

No. 324. House bill to repeal the charter of the town of Emporia, reported from the committee on counties, cities and towns, was read a first time.

No. 355. House bill to authorize the trustees of Upper Essex Baptist church to borrow money and execute deeds of trust, placed on the calendar on motion of Mr. DAINGERFIELD, was read a first time.

No. 356. House bill to require the county judge of Mecklenburg county to submit the question of continuing or repealing the present fence law to the qualified voters of any magisterial district or districts in said county, placed on the calendar on motion of Mr. BASKERVILLE, was read a first time.

A communication from the attorney-general was presented as follows:

COMMONWEALTH OF VIRGINIA,
ATTORNEY-GENERAL'S OFFICE,
RICHMOND, *February* 8, 1888.

HON. R. H. CARDWELL,
Speaker of the House of Delegates:

Sir,—I have the honor to acknowledge the receipt of the following resolution of the House of Delegates—viz.:

"Resolved, That the attorney-general be, and he is hereby, requested to inform this House what steps, if any, have been taken to ascertain whether the charter of the Richmond, Williamsburg and Central turnpike company, in Henrico county, has been forfeited pursuant to the act of the General Assembly of Virginia, approved March 3, 1884, and if no such steps have been taken why not?"

Proceedings were instituted in the circuit court of the city of Richmond by my predecessor on the 10th day of April, 1884, by petition for a writ of *quo warranto*. The petition set forth the facts relied upon by the commonwealth to sustain the claim of forfeiture. On the 10th day of June, 1884, the company filed its answer to the petition. No further steps were taken until October 20, 1886, when I submitted the petition and answer upon motion for writ of *quo warranto*, which was overruled and the petition dismissed.

Very respectfully,

R. A. AYERS, *Attorney-General.*

A minority report in the contested election case of Love against Overby was presented as follows:

The undersigned members of the committee on privileges and elections are constrained to withhold their approval of the report of the majority, for the following reasons:

First. The record in this case shows, and the fact is not denied by the contestant, that at Columbian Grove precinct three voters, without waiting for the regularly appointed judges of election, and within fifteen minutes of the time when by law the polls ought to have been opened, took charge of the polls as judges, administered the oaths to each other, appointed their clerks, and proceeded with the election. We are aware that in some States, and in some legislative bodies, it has been held that this is merely an irregularity which will not invalidate the election, and in this case it is argued that these three voters were *de facto* judges, and that so far as the public are concerned their acts possess as much force and effect as if they had been judges *de jure*. We cannot, however, approve of the reasoning which leads to this conclusion. These three persons took charge of the polls without a shadow of right, they had no color of title, but were mere usurpers, and as such their acts can

have no binding force or effect. We submit that the policy of Virginia, as shown by the laws passed on this subject, requires that whenever it is possible elections shall be conducted by the regularly appointed judges, who are to be selected on account of their integrity, impartiality and fitness for the discharge of their important duties. Upon these judges depend the purity of our elections, and to them we must look, if the voice of the people as spoken at the polls is to be heard. So careful has the Legislature been upon this point that the appointment of these officers has been taken from the judges of the commonwealth, and placed in the hands of boards appointed by themselves, and yet it is gravely argued that any three voters, however ignorant or depraved, may, upon election morning, hasten to the voting precincts, take charge of the registration books and polls, conduct the election in the interest of the political party to which they belong, or in the interests of the friends they would serve, and that their acts and returns shall have the same force and effect as the acts and returns of the regularly appointed judges. And now we respectfully ask, if this practice is to be adopted, is not the law for the appointment of judges of election subject to repeal at every precinct in the State, and by any three voters who may combine for the purpose? Once let it be understood, by legislative decision, that election judges are to be appointed by themselves, and the registration books and polls at every voting place in the commonwealth will become a prize for which there will be a race every election morning between the representatives of the different political parties, and it may be that out of the eagerness thus produced they may spring those feelings, which will lend to strife for the possession of the polls, and the position which will enable unscrupulous men to convert the whole machinery of elections from its legitimate and proper object to the elevation of themselves and their friends, and so it will be put in the power of the most depraved voters to stifle the voice of the majority, to bid defiance to the will of the people, and in the name of purity and fairness to commit every outrage against which it is the purpose of the election laws to guard. This question goes beyond this case and becomes one of public policy, in which every good citizen is interested, and we cannot lend ourselves to a conclusion which must lead to the results which we have pictured. We have referred to no authority, because case law must always give place to the great principles which the Legislature of this State have more than once announced, and which has been sought to be enforced by carefully prepared and considered laws.

Second. It plainly appears from the evidence in this case that during the election at Columbian Grove, every one who desired to do so entered the room in which the polls were kept; and that after they were closed and while the ballots were being counted for the purpose of making them correspond with the poll-books; and before the said ballots were opened and the number of votes cast for each candidate was acertained; the handling of the ballots being in a room without artificial light and carried on until it became so dark

that the names on them could hardly be read; that the difference between the tickets of J. W. Overby and D. R. Love could be detected by a man with both eyes knocked out, see answer to question 15, page 48 of record. They were handled and counted by one W. J. Sculthorpe, who was not a judge or clerk at the precinct; who had been convicted in the county of Lunenburg of stealing a mule, and served out a part of his sentence in the penitentiary of this State, and would have remained the whole term but for the pardon extended to him by Governor Cameron; that this man was the friend of the contestant in this case, and certainly had it in his power to have made the result at Columbian Grove precinct what he pleased. And we say, that in view of these facts, while mere irregularity in the conduct of an election which does not affect the result will not be permitted to invalidate it; that McCrary upon Elections and Story on Constitutional Limitations, and, as far as we are informed, all other authorities upon the subject hold, without exception, that whenever the irregularities are of such a character as to make the result at any precinct uncertain, that the vote of that precinct ought to be thrown out. The result at Columbian Grove precinct can never be certainly known unless the same faith is placed in the action and integrity of a convicted mule thief, under no obligation as judge or clerk and having taken no oath, as should be placed in the sworn action of regularly constituted judges of election. We confess that we have not this faith; that to us the result is uncertain, and we think the precinct which was rejected by the commissioners of election for the county of Lunenburg, should be rejected by this legislation; and if this is done, the sitting member, Mr. J. W. Overby, will be entitled to his seat, having an undisputed majority of six votes.

Third. That B. H. May, in his deposition on page 70 of record, stated that he was one of the commissioners of election, and that he heard D. R. Love admit the morning after the election that he had trimmed the ballots containing his (D. R. Love) name to the size of the ballots containing the name of J. W. Overby; that this was done at Brown's Store precinct. And W. L. Bridgforth, one of the judges at that precinct, in answer to question 14 on page 64, stated, that there were certainly nine of these trimmed ballots in the box and that one of them was voted by James Garland, see page 63 of record. Mr. Bridgforth also stated, in answer to question 8, page 62: "I heard Mr. Love say he would pay fifty cents to know the man that was smart enough to trim these tickets."

Mr. Overby, in answer to the notice of contest in this case, served upon Mr. Love a paper containing the following charge: "That at Brown's Store precinct on the day of election, you being convinced that the voters wished to vote for me and would not vote the ballot containing your name, which was much larger in size than the ballot containing my name, many of the voters being unable to read and could only tell one ballot from another by the size, you did, with the intention deliberately to deceive the said voters and to practice a fraud upon me,

cut the ballots with your name upon them to the size of those which contained my name, and that at least ten of the ballots so reduced in size were so voted and found in the ballot-box at Brown's Store precinct. And if the ten ballots so fraudulently reduced in size and voted at Brown's Store precinct had contained my name, as the persons voting believed they did, instead of yours, I would have received nineteen majority at said precinct instead of you receiving one majority. And I contend that ballots of a like kind, with the purpose aforesaid, were imposed upon the voters and some of them found in the ballot-boxes at Columbian Grove, the Court-house and Lochleven precincts."

It is not denied in the majority report that these charges, if sustained, would entitle J. W. Overby to his seat, although Columbian Grove precinct should be counted as claimed by the contestant, but it is declared that the proof does not sustain the charges. Let us see whether it does or not. The following facts are proved beyond dispute:

First. By the admission of Mr. Love that he did cut down his ballots to the size of the ballots of J. W. Overby at Brown's Store.

Second. That he thought this a smart trick, as he offered to give fifty cents to find out the man smart enough to do it. (Answer to question 8, page 62 of record.)

Third. At least nine of these trimmed ballots were found in the box at Brown's Store precinct and counted for Love, although in cutting them to the required size the entire heading of the ticket had to be cut away. (See record, page 62.)

There is no denial of this testimony, and absolutely no conflicting evidence in reference to these facts. Do they prove that Mr. Love trimmed his tickets with the intention of defrauding Mr. Overby? We answer this question in the affirmative. Mr. Love could have had no other object in view. His purpose must have been to secure votes which he otherwise could not have obtained, and he must have trimmed his ballots for the reason that by so doing he could deceive the ignorant supporters of Mr. Overby and induce them to vote for him, believing that they were voting for Mr. Overby. If this was not his purpose, then in the name of common sense why did he trim his tickets? Surely he can answer this question, and he is the only man who can answer it. The knowledge is peculiarly his own. The evidence in elucidation of the subject matter in dispute is within his power. A grave charge is made against him; one which not only threatens to determine all claim he may have for the office he has sought, but is of a character which an innocent man will deny—indignantly deny and repel. What does he do? For five days he attends the taking of the depositions. He has every opportunity to have his own evidence taken and every opportunity to deny the charges. The charge called for and demanded an answer, and yet he remained dumb in the presence of his accusers, and is dumb in the presence of this Legislature. He had it in his power to settle

the whole question, but he shrank from the trying ordeal of an oath and the searching cross-examination of the contestee's counsel. Are we entitled to any presumptions against him because of his silence? We answer in the language of Judge Moncure in Chahoon's case, 20 Gratt., page 797: "The conduct of a party in ommitting to produce that evidence in elucidation of the subject matter in dispute, which is within his power, and which rests peculiarly within his knowledge, frequently affords occasion for strong presumptions against him, since it raises a strong suspicion that such evidence, if adduced, would operate to his prejudice." See also the opinion of Judge Fauntleroy in the case of Goodman *vs.* Richmond and Danville railroad company, 81 Virginia Reports, pages 584–5.

The testimony of the contestee in this case proved so much that only this presumption, authorized by him, is required to make a perfect case; indeed, without this presumption, the impartial mind must reach the conclusion that the tickets were trimmed with the intention of deceiving the ignorant supporters of Mr. Overby; that this intention was carried into effect is proved by the presence of the trimmed tickets in the ballot-box at Brown's Store; and yet, Mr. Love's desire for his seat is based upon the principle that the will of the people, as expressed at the polls, must be obeyed. We answer him, "He that seeks equity must do equity." There is much testimony in the record which might be adduced in support of the views expressed in this paper, but we have contented ourselves with the extracts given, trusting that every member called upon to vote will examine and decide for himself. We think that Mr. Overby is elected by at least six votes, if Columbian Grove precinct is counted, and if that precinct is rejected, as we think it ought to be, then his majority will be increased to twenty-four. All of the above is based on the evidence taken prior to the assembling of the Legislature, but after the case had been heard and argued by counsel before the committee, further time was given both parties to take additional evidence, and it is to this evidence that we wish now briefly to refer. It must be noticed that one of the points made by the contestee when the case was first argued was, that the trimming of the tickets by Love at Brown's Store had been fully proved; that Love spoke of this as a smart trick; and that after the contestee had charged that the tickets had been made smaller for the purpose of deceiving Overby voters, and had been used with that result; that Love, who attended the taking of the depositions for five days, had not given his testimony, because he feared the cross-examination of Overby's counsel; and it was argued, that as this knowledge was peculiarly within Love's breast, and the evidence in his power, and in no other person's, that his failure to testify made the presumption of fraud against himself conclusive. We repeat, that this was one of the points (the failure of Love to testify) upon which the contestee relied, and which was strongly pressed in the argument. Mr. Love was represented by counsel, and must have been informed of the standing of his case, and the conclusions likely to be drawn for his silence.

Under these circumstances the opportunity was afforded both parties to take additional testimony; and W. E. Stith testifies, in the most emphatic way, that on the morning after the election he heard Mr. Love say that he trimmed his ballots to the size of Mr. Overby's, after conference with one of his political friends, Sam Bolling, and that he and Sam passed them, the trimmed tickets, on the darkies for Overby's tickets, and that by this means he (Love) had gotten the election. To the same effect also is the testimony of Jno. L. Roberts, Junius Bagley and Henry Hicks. This last witness says that he heard Love say, the morning after the election, "that on the day of election Jack (Mr. Overby) was getting ahead of him so fast he commenced studying what he must do; he came to the conclusion that he would trim some of his tickets, and Sam Bolling *request* of him to do it, and he goes into Reese's shop and takes one of Jack Overby's tickets and put it right on top of his, and cut his exactly the size of Jack Overby's, and then he got in with some of the boys to get them in, and by ——, he got in ten, and he thought it was a damn smart trick, and I remarked to him at the time that it was a damned rascally trick to put anything on people that they did not want to do; he remarked back to me, that any thing in election and wars was honest."

Now we do not have to rely upon presumption, but out of the mouth of at least two witnesses we have the positive statement, not only of the trimming of the tickets, but that they were trimmed and used to deceive Overby's voters. And what does Mr. Love do when told by a colored man that he had been guilty of damned rascally trick? He does not explain that the tickets were used by men who wished to conceal for whom they voted, but he broadly justifies himself by the old and much-abused adage, that everything is fair and honest in elections and wars. He does not deny, but, in legal phraseology, he confesses and avoids, saying, in effect, "Yes, I did do a rascally thing, but, then, as it was about an election, it was all fair and honest." And now, while these additional depositions are being taken, Mr. Love is again present; the witnesses testifying against him are all under oath. He does not go on the stand, but contents himself with making a "note in the deposition," in which he denies all fraud, &c. This is excepted to by Mr. Overby's counsel, and he is told that if he wants to make the denial he should do so as a witness, and give Mr. Overby's counsel the right to cross-examine him; but he contents himself with a broad denial, and refuses to be sworn, and we cannot, therefore, give to his denial the weight which would attach if it was sworn to. Nor is it entitled to any weight under the circumstances, all of which called for the most positive and solemn testimony. Mr. Love's statements have been proved by five witnesses—B. H. May, J. L. Roberts, W. E. Stith, Junius Bagley and Henry Hicks; the intent to deceive and defraud the friends of Mr. Overby is distinctly proved by J. L. Roberts, W. E. Stith and Henry Hicks, and we are obliged to conclude that Mr. Love, at Brown's Store, deceived at least ten of Mr. Overby's

friends into voting for him, believing that they voted for Overby, and this will give Mr. Overby a majority of nine, with all the precincts counted. We have taken no notice of the affidavits filed in reference to the voting of the trimmed tickets, because they were withdrawn by counsel for Mr. Love when Mr. Overby asked for time to reply to them; but we noticed that the affidavits of George Maddux, Dick Seay, Bob Bagley, William Chapman, Tom Scott and Henry Smith were made before the notary taking the depositions on the 26th of January, and while they were being taken, and not certified until the 29th of January, and thus the contestee was deprived of his right to cross-examine; and there could have been no reason why these parties could not have given their depositions in due form.

On the whole, the more we examine into the evidence and consider all the facts and circumstances surrounding the case, the more thorough becomes our conviction that J. W. Overby is entitled to his seat.

We note with pleasure that Mr. Overby has passed through the entire investigation with clean hands; that nothing has been found throwing the slightest discredit on him or his friends. And we believe that we but voice the will of the majority of the voters of Lunenburg when we recommend the adoption of the following resolution:

That J. W. Overby, the sitting member, is entitled to a seat in this body as delegate from the county of Lunenburg.

Respectfully reported,

W. P. DUPUY,
ROBERT I. SIMPSON.

On motion of Mr. DUPUY, the report was ordered to be printed.

The following were presented and referred under Rule 37:

By Mr. GORDON: A bill to extend the time to William G. Miller, late treasurer of Rappahannock county, for the collection and settlement of certain taxes and levies. Referred to the committee on finance.

By Mr. HERBERT: A bill for the relief of T. E. Trotman, refunding to him certain moneys paid. Referred to the committee on finance.

By Mr. CRISMOND: A bill to allow John B. Abrich further time to collect certain tax-tickets. Referred to the committee on finance.

By Mr. WEST: A bill for the protection of sheep in the counties of Bedford and Orange. Referred to the committee on counties, cities and towns.

By Mr. JOHNSON: A bill to incorporate the town of Windsor in the county of Isle of Wight. Referred to the committee on counties, cities and towns.

By Mr. CORBETT: A bill to incorporate the Alexandria perpetual building fund association. Referred to the committee on propositions and grievances.

By Mr. CATLETT: A bill to amend and re-enact section 2660 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887. Referred to the committee for courts of justice.

By Mr. CATLETT: A bill to provide for the appointment of capitol police and certain other employees about the public buildings and grounds. Referred to the committee on officers and offices at the capitol.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 352. House bill to amend and re-enact section 441 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, was, on motion of Mr. POLLARD, taken up out of its order on the calendar.

On motion of Mr. POLLARD, the bill was committed to the committee on finance.

No. 353. House bill to create a board of equalization of the assessments of real estate for purposes of taxation, was, on motion of Mr. POLLARD, taken up out of its order on the calendar.

On motion of Mr. POLLARD, the bill was committed to the committee on finance.

No. 201. House bill to provide for the purchase of certain property and additional improvements for the State female normal school, and to make appropriation therefor, was, on motion of Mr. DUPUY, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

No. 237. House bill to refund certain taxes to R. M. Kirtley erroneously assessed, amended on motion of Mr. HAY, was, on motion of Mr. ANDERSON of *Fluvanna*, taken up out of its order on the calendar.

The bill was read a second time.

On motion of Mr. HAY, the bill was amended by striking out "with interest thereon until paid."

The bill was ordered to be engrossed to be read a third time.

No. 309. House bill for the relief of the sureties of Isaac N. Akers, late treasurer of Patrick county, was, on motion of Mr. PARR, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. PARR moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 81.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Daingerfield,

Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Flood, Gordon, A. W. Harris, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Magruder, McClintic, McKee, Montague, J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Pollard, Porter, Quesenberry, Riner, Roane, E L. Roberts, J. Roberts, Robinson, Ryan, Saunders, Scott, Sebrell, Simpson, Spencer, Terrell, Tinsley, R. H. Tyler, Waddill, Webb, Wilkins, Williams, Wright and Young—81.

Mr. PARR moved to reconsider the vote by which the bill was passed; which motion was rejected.

Mr. CORBETT entered a motion to reconsider the vote by which No. 137, House bill entitled an act to amend and re-enact section 4 of an act entitled an act to regulate the practice of medicine and surgery, approved January 31, 1884, was passed.

Mr. RYAN moved to amend the title of House engrossed bill No. 169, to amend and re-enact an act approved May 6, 1887, entitled an act to incorporate the Mineral railroad company, by adding, "And to change the name to that of the Alexandria and Charleston railroad company."

Mr. RYAN moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. RYAN carry the bill to the Senate and request their concurrence.

No. 85. House bill entitled an act to incorporate the Danville and East Tennessee railroad company.

The amendment of the Senate was agreed to.

No. 299. House bill to amend and re-enact section 614 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, was, on motion of Mr. HUNTER, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

A message was received from the Senate by Mr. Koiner, who informed the House that the Senate had agreed to House joint resolution authorizing the sale of the State's interest in the Chesapeake and Ohio railroad company, No. 342.

The hour of one o'clock P. M. having arrived, special order,

No. 262. House bill to regulate commerce in the State of Virginia, came up.

Mr. POLLARD moved to amend the bill by inserting as an independent section, to come in after the 5th, the following:

6. It shall not be lawful for any common carrier, subject to the provisions of this act, to issue to any member of the General Assembly, or any judge of any court or other salaried officer of this commonwealth, any free pass or complimentary ticket or other authority of any kind, whatsoever, to travel upon, or on the line or lines of such common carrier, at any less rates than the general

public are required to pay for a like service. Any such common carrier which shall issue such complimentary ticket or free pass, or shall transport the aforesaid official persons at less rates than are required to be paid by the general public for like service, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five hundred dollars for each offence.

Pending which,

On motion of Mr. MARTIN, the House adjourned until to-morrow at twelve o'clock M.

FRIDAY, FEBRUARY 10, 1888.

Prayer by Rev. Dr. J. B. Newton, of the Episcopal church.

On motion of Mr. DUPUY, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 9, 1888.

The Senate have passed House bills entitled an act for working and repairing the public roads in Nottoway county, No. 101; and an act to allow H. R. Garland, late treasurer of Richmond county, one year to collect any uncollected tax-tickets for the years 1884–'5, for which he has accounted to the auditor, No. 144.

They have passed Senate bill entitled an act to provide for working and altering roads and building and repairing bridges in the county of Mecklenburg, No. 319; in which bill they respectfully request the concurrence of the House of Delegates.

No. 319. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. WADDILL, requiring its reference to a committee.

The following Senate bills were reported from the committee for courts of justice:

No. 65. Senate bill entitled an act to remove the political disabilities of Daniel P. Curtis.

No. 228. Senate bill entitled an act to provide for submitting to the qualified voters of the State the question of a constitutional convention.

No. 325. Senate bill entitled an act to amend and re-enact chapter 369 of the Extra Session Acts 1887, entitled an act to amend and re-enact chapter 413, Session Acts 1885–'6, entitled an act to prescribe the time for holding the terms of the courts of the Eighth judicial circuit, approved May 21, 1887.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 357. House bill to incorporate the town of Drummondtown, in the county of Accomac.

No. 358. House bill to repeal the charter of the town of Hillsville.

No. 359. House bill to incorporate the town of Windsor, in the county of Isle of Wight.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 360. A bill authorizing the board of supervisors of Norfolk county, in their discretion, to pay over to the city collector of Norfolk city, for the use of Brambleton ward in said city, a portion of the taxes collected from citizens of said ward by the treasurer of Norfolk county for the year 1887.

No. 361. A bill to provide for additional terms of the circuit courts for the city of Norfolk, and authorizing the judge of said courts to enter decrees in chancery causes at chambers.

No. 362. A bill to enlarge the jurisdiction of the county courts.

The following House bills, reported from the committee on roads and internal navigation, were read a first time:

No. 363. House bill to incorporate the Elizabeth river navigation company (with a recommendation that it do not pass).

No. 364. House bill to incorporate the Petersburg, Ettrick and Matoaca railway company.

No. 365. House bill to incorporate the Fauquier and Rappahannock railroad company.

No. 89. Senate bill to amend and re-enact section 10 of an act, in force February 23, 1882, entitled an act to incorporate the Virginia and Carolina railroad company, amended by an act approved March 6, 1886, was reported from the committee on roads and internal navigation.

The following House bills, reported from the committee on schools and colleges, were read a first time:

No. 366. House bill to allow the district school board of Buchanan district, Botetourt county, to purchase Blue Ridge hall and for conveyance of same.

No. 367. House bill to incorporate Liberty Hill high school.

No. 368. House bill to regulate the sale of tobacco and cigarettes to minors, reported from the committee on propositions and grievances, was read a first time:

No. 369. House bill to incorporate the Powell's River academy, reported from the committee on schools and colleges, was read a first time.

The following report was presented:

In response to the resolution referred to the committee on public property, as to the condition of the public square, &c., of date January 31, 1888, we beg leave to report that we have examined the same and find that both the grass plats and the walks and drives need attention, requiring grass-seed and a top dressing of manure

or fertilizers, and a large quantity of brick and gravel, entailing considerable labor and expense. We would especially call attention to the flues for the heating of the House and the pavement of the veranda, which serves the purpose of a roof to some of the basement offices which are now leaking. It is possible that the cost may reach the sum of $2,200.

P. W. MAGRUDER, *Chairman.*

A message was received from the Senate by Mr. Williams, who informed the House that the Senate had agreed to a resolution as follows:

Resolved (the House of Delegates concurring), That the General Assembly will proceed this day at forty minutes past twelve o'clock P. M. to the election of a county judge for the counties of Buchanan and Dickenson.

—In which they respectfully request the concurrence of the House.

The resolution was agreed to.

Mr. POLLARD moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. COUNTS inform the Senate that the House had agreed to the resolution.

The hour of forty minutes past twelve o'clock P. M. having arrived,

A message was received from the Senate by Mr. Williams, who informed the House that the Senate is ready on its part to proceed to the execution of the joint order.

Ordered, That Mr. COUNTS inform the Senate that the House is ready on its part.

Mr. COUNTS nominated H. M. Jones for the office of county judge for the counties of Buchanan and Dickenson.

Ordered, That Mr. YOUNG inform the Senate that H. M. Jones is the only person in nomination before the House.

A message was received from the Senate by Mr. Williams, who informed the House that H. M. Jones is the only person in nomination in the Senate.

The roll was called with the following result:

For H. M. Jones, - - - - 71

The vote was recorded as follows:

For H. M. JONES—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Curtis, Dabney, Daingerfield, Dupuy, Edmondson, Edwards, Elam, Ewell, Flood, Gordon, A. W. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Kincheloe, Leggett, Martin, Magruder, Mayo, McCandlish, McClintic, Montague, J. E. Moore, Morton, Mustain,

Overby, Parr, Pedigo, Perkins, Pilcher, Pollard, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Ryan, Scott, Sebrell, Silver, Simpson, Starke, Terrell, Treat, R. H. Tyler, Waddill, Webb, Wilkins, Williams and Young—71.

The SPEAKER appointed Messrs. COUNTS, SEBRELL and YOUNG the committee on the part of the House to count and report the joint vote.

The committee subsequently, by their chairman, reported as follows:

Whole number of votes cast, - - -	99
Necessary to a choice, - - -	50
H. M. Jones received - - - -	99

H. M. Jones having received a majority of all the votes cast, was declared duly elected county judge for the counties of Buchanan and Dickenson for the term prescribed by law.

On motion of Mr. MAGRUDER,

Resolved, That when the House adjourn this day it adjourn to meet on Monday next at twelve o'clock M.

Mr. POLLARD moved to reconsider the vote by which the resolution was agreed to; which motion was rejected—yeas 31; nays 49.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, W. A. Anderson, Bristow, Buford, Carter, Catlett, Coleman, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Ewell, J. S. Harris, Hay, Hobson, Hunter, McCandlish, McClintic, Morton, Parr, Pilcher, Pollard, Roane, E. L. Roberts, Terrell, R. H. Tyler, Webb and Williams—31.

NAYS—Messrs. D. W. Anderson, Arnold, Ash, Baldwin, Baskerville, Goodman Brown, John A. Browne, Corbett, Crawford, Dickey, Edmondson, Edwards, Elam, Gordon, A. W. Harris, Herbert, Herring, Huffman, Jarratt, Jones, Johnson, Kincheloe, Leggett, Martin, Magruder, Mayo, Montague, J. E. Moore, Mustain, Overby, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, J. Roberts, Robinson, Ryan, Saunders, Scott, Sebrell, Simpson, Spencer, Starke, Tinsley, Lyon G. Tyler, Waddill and Young—49.

The following report from the Senate was presented:

To the Senate and House of Delegates:

The joint committee on public institutions of the Senate and asylums and prisons of the House of Delegates, to whom was referred the subject of investigating the cause of the fire at the penitentiary, in accordance with the subjoined resolutions, respectfully report that after a personal inspection of the ruins and the examination of several witnesses, referred the matter to a sub-committee and submit herewith their report, which has been adopted by the

joint committee, and in accordance with the instructions of said committee, submit a bill for carrying out the provisions of this report.

WILLIAM LOVENSTEIN, *Chairman*
Committee on Public Institutions.

EDWARD ECHOLS, *Chairman*
Committee on Asylums and Prisons.

To the Joint Committee of the Senate and House of Delegates:

By a joint resolution passed by the Senate and House of Delegates on the 31st ultimo, the committee on asylums and prisons of the House of Delegates and the committee on public institutions of the Senate were instructed to investigate and report to the General Assembly the cause of the recent fire at the State penitentiary, the extent of the damage done by said fire, the loss to the State occasioned thereby, and make such recommendation as they may deem proper in order to repair the damage done. The undersigned, constituting the sub-committee, appointed by said joint committee to investigate and report upon the several inquiries embraced in said joint resolution, respectfully report:

First. As to the cause of the recent fire—

On the 3rd instant your committee visited the penitentiary, and after inspecting the burnt building, in order to get an idea of their location, examined, under oath, all parties connected with the penitentiary who could be supposed to know anything about the fire or its origin, and whilst various theories were entertained from the investigation made, and facts ascertained, your committee are unable to report what was the immediate cause of the fire. At first, it was the opinion of some that it was the act of an incendiary, but upon investigation it is the unanimous conclusion of your committee that such is not the case, and that the fire originated from carelessness by some one connected with the prison.

A stenographic record of the evidence taken is herewith filed and asked to be taken as a part of this report. Your committee deem it proper to state that as far as it has been able to ascertain from a searching investigation, no blame attaches to Mr. W. W. Moses, the superintendent. Everything was done by him that could possibly have been done under the circumstances; he turned in the alarm himself to the city fire department within a very few moments after the fire broke out, and but for the assistance rendered by the Richmond fire department the entire penitentiary would have been destroyed. In this connection your committee would state that the water supply at the penitentiary is inadequate and ought to be increased.

Second. As to the extent of the damage done by said fire and the loss to the State occasioned thereby—

The damage sustained was quite an extensive one; the whole of the building used and occupied by Joseph Davis, Esq., as a shoe manufactory, being destroyed, besides some damage to the adjoining buildings.

THE ESTIMATED LOSS TO THE STATE.

Destruction of building (estimated), - - - -	$25,000.00
Furniture, tools and fixtures, provisions, machinery and raw material in carpenter and blacksmith shops,	1,017.88
Total (estimated), - - - - - - - -	$26,017.88

In addition to the loss of property above mentioned, there are five hundred and sixty odd (560) convicts out of employment, these being the hands worked by the Davis shoe manufactory, estimated by the superintendent to be a loss to the State of about $3,000.00 per month. It costs the State about twenty-two (22) cents per day per capita to maintain these convicts.

Third. As to such recommendation as may be deemed proper in order to repair the damage done—

Your committee recommend that the building should be replaced in a more substantial form than the old one. It has been estimated that a three-story fire proof building can be erected on the site of the one recently destroyed, at a cost of $35,000.00.

Respectfully submitted,

EDWARD ECHOLS,
W. P. DUPUY,
H. L. CARTER,
THOS. H. BARNES,
I. C. DUANE.

The following were presented and referred under Rule 37:

By Mr. BRISTOW: A bill to allow further time for the late treasurer of Mathews county to make returns of delinquent taxes. Referred to the committee on finance.

By Mr. TREAT: A bill for the relief of E. H. Moorman, late assistant treasurer of Campbell county. Referred to the committee on finance.

By Mr. DABNEY: Resolution of inquiry as to whether James G. Field, late attorney-general of this State, is now entitled to compensation from this State for services rendered the State before the commencement of his term of office and for extra official services rendered during his term of office. Referred to the committee on finance.

By Mr. EDWARDS: A bill for the relief of A. F. Sturgis, a private of Norfolk city guard, Virginia volunteers. Referred to the committee on finance.

By Mr. ANDERSON of *Rockbridge:* A bill to extend the time within which lands in Cumberland county, sold for delinquent taxes thereon, may be returned. Referred to the committee on finance.

By Mr. CRISMOND: A bill for relief of T. E. McCracken from a fine imposed by the corporation court of Fredericksburg. Referred to the committee on finance.

By Mr. MOORE of *Pulaski:* A bill to relieve Andrew Rodgers from the payment of a license tax for peddling in the county of Pulaski. Referred to the committee on finance.

By Mr. STARKE: A bill to amend and re-enact section 81 of chapter 450, Session Acts of 1884–'5, as amended by chapter 448, Session Acts of 1885–'6, in relation to licenses to theatres and panoramas. Referred to the committee on finance.

By Mr. SEBRELL: A bill to empower the judge of the county court of Southampton county to appoint one or more policemen for the various magisterial districts of said county. Referred to the committee on counties, cities and towns.

By Mr. MOORE of *Pulaski and Giles:* A bill to amend and re-enact chapter 192 of the Acts of 1885–'86, entitled an act to incorporate the town of Pulaski City, in the county of Pulaski. Referred to the committee on counties, cities and towns.

By Mr. STARKE: A bill to incorporate the Atlantic wharf and dock company. Referred to the committee on Chesapeake and its tributaries.

By Mr. TYLER of *Richmond:* A bill to prescribe for the schooling and limit of labor of children employed in manufacturing and other establishments. Referred to the committee on propositions and grievances.

The hour of one o'clock having arrived,

The motion entered by Mr. CORBETT to reconsider the vote by which No. 137, House engrossed bill to amend and re-enact section 4 of an act entitled an act to regulate the practice of medicine and surgery, approved January 31, 1884, was passed, was rejected—yeas 27; nays 47.

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Speaker, Baskerville, Goodman Brown, Carter, Craft, Crawford, Curtis, Dickey, Edmondson, Elam, A. W. Harris J. S. Harris, Herring, Jones, Martin, McCandlish, Pedigo, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Scott, Spencer, Tinsley and Young—27.

NAYS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Bristow, John A. Browne, Catlett, Coleman, Corbett, Crismond, Dabney, Dupuy, Edwards, Figgatt, Flood, Gordon, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Magruder, Mayo, Montague, J. E. Moore, Morton, Mustain, Overby, Perkins, Phillips, Pilcher, Pollard, Ryan, Sebrell, Silver, Starke, Terrell, Treat, R. H. Tyler, Waddill, Webb, Wilkins and Williams—47.

Mr. ECHOLS stated that he would have voted in the negative, but was paired with Mr. EVANS.

Ordered, That Mr. FIGGATT carry the bill to the Senate and request their concurrence.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate had passed Senate bill entitled an act to authorize the board of directors of the penitentiary of Virginia to restore the burnt buildings of that institution and to make an appropriation for the same, No. 378; in which they respectfully request the concurrence of the House.

Special order,

No. 262. House bill to regulate commerce in the State of Virginia, came up.

The question being on agreeing to the amendment offered by Mr. POLLARD,

Mr. FRANKLIN offered the following as a substitute for the amendment offered by Mr. POLLARD:

During the session of the General Assembly, within five days before the meeting of the same, and within ten days after the adjournment thereof, the members and officials of said Assembly shall likewise be transported free on all the railroads in the State. It shall be unlawful for any one entitled to a pass under this act, to transfer or assign the same, and on conviction of so doing the offender shall be fined not less than $50.00 nor more than $500.00. —Which was rejected.

The amendment offered by Mr. POLLARD was rejected.

Mr. FIGGATT moved to reconsider the vote by which the amendment offered by Mr. POLLARD was rejected; which motion was rejected.

On motion of Mr. MCCANDLISH, the House adjourned until Monday next at twelve o'clock M.

MONDAY, FEBRUARY 13, 1888.

On motion of Mr. ALLENSWORTH, the reading of the Journal was dispensed with.

Communications from the Senate, by their clerk, were read as follows:

In Senate, February 10, 1888.

The Senate have passed House bill entitled an act to incorporate the Green Springs tramway company, No. 254.

They have passed Senate bills entitled an act to refund to F. Y. Chaney, of Halifax county, certain license tax paid by him, No. 218; and an act for the relief of Fleming Anderson, a blind ex-Confederate soldier of Halifax county, No. 279; in which bills they respectfully request the concurrence of the House of Delegates.

In Senate, February 11, 1888.

The Senate have agreed to the amendments proposed by the House of Delegates to Senate bills entitled an act for the relief of J. R. Moss, administrator of William A. Moss, late treasurer of the county of Buckingham, No. 161; and an act to incorporate the Bristol and Danville railroad company, No. 318.

They have passed Senate bills entitled an act for the relief of the sureties of C. H. Ingles, late treasurer of Henry county, No. 127; an act to incorporate the Manteo pleasure association, No. 165; an act to grant the right and privilege for a period of twenty years of occupancy of certain flats and water fronts on James river upon certain conditions, No. 182; an act to amend and re-enact sections 1, 2, 4, 5, 6 and 8 of an act entitled an act to establish a board of river and harbor commissioners for Nansemond river, approved February 9, 1882, No. 195; an act for the relief of R. H. Downman, No. 192; an act to provide payment out of the public treasury to William T. Fitzpatrick, deputy sheriff, the amount of expense incurred by him in behalf of the commonwealth, No. 199; an act to incorporate the Norfolk and Dismal Swamp steamboat company, No. 211; an act to release the residue of certain judgments of the commonwealth against John G. Kasey, treasurer of Bedford county, and his sureties, No. 233; an act for the relief of Joseph B. Worth of erroneous license tax, No. 240; an act to amend and re-enact sections 13 and 54 of the charter of the city of Manchester, No. 242; an act for the relief of Orville Anderson, of Grayson county, No. 247; an act to incorporate the Princess Anne county railway company, No. 269; an act to enlarge the powers of the Richmond city railway company, No. 276; an act to incorporate the Oakwood cemetery company, in the county of Surry, No. 277; an act for the relief of tax-payers of Mathews county, No. 285; an act to authorize the payment to George E. Sangster, late sheriff of Fairfax county, of the sum of forty dollars, No. 286; an act for the relief of G. S. Healey, sheriff of Middlesex county, No. 293; an act to authorize a loan of muskets to the Locust Dale male academy, No. 294; an act to amend and re-enact section 10 of an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal chapter 185 of the Acts of Assembly 1879–'80, No. 300; an act to amend and re-enact an act entitled an act to incorporate the Midlothian, Manchester and Richmond railway and mining company, No. 308; an act to amend and re-enact sections 1 and 4 of an act entitled an act to incorporate the Bristol-Goodson street railway company, No. 366; an act to provide compensation to B. F. Bland and Maryus Jones for services rendered the State, No. 344; an act to amend and re-enact section 5 of an act entitled an act to incorporate the Norfolk fuel and gas-light company, of Norfolk, Va., approved January 27, 1888, No. 362; an act to authorize the board of supervisors of Buckingham, Prince George and Surry counties to let to contract the public roads and levy a tax to keep the same in order, No. 365;

and an act to incorporate the Virginia underground electrical conduit company, No. 327; in which bills they respectfully request the concurrence of the House of Delegates.

Nos. 362, 365, 344, 294, 211, 279 and 269, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

Nos. 242, 276 and 366. Senate bills, were read twice and referred to the committee on counties, cities and towns.

Nos. 195 and 308. Senate bills, were read twice and referred to the committee on roads and internal navigation.

Nos. 127, 192, 199, 218, 233, 240, 247, 285, 286 and 293. Senate bills, were read twice and referred to the committee on finance.

Nos. 165, 277 and 327. Senate bills, were read twice and referred to the committee on propositions and grievances.

No. 182. Senate bill, was read twice and referred to the committee on Chesapeake and its tributaries.

No. 300. Senate bill, was read twice and referred to the committee on printing.

No. 378. Senate bill entitled an act to authorize the board of directors of the penitentiary of Virginia to restore the burnt buildings of that institution and to make an appropriation for the same, was read twice and placed on the calendar, the rules having been suspended on motion of Mr. ECHOLS, requiring its reference to a committee.

No. 134. Senate bill to incorporate the Virginia land and improvement company, was reported from the committee on propositions and grievances.

No. 369. House bill to incorporate the Alexandria perpetual building fund association, reported from the committee on propositions and grievances, was read a first time.

No. 370. House bill to amend and re-enact sections 12 and 14 of an act entitled an act to repeal chapter 91 of the Code of 1873, and all acts and parts of acts in relation to the pilots and piloting of vessels, and to enact a law to govern and regulate pilots and piloting of vessels in the waters of the State of Virginia, approved April 21, 1882, reported from the committee on banks, currency and commerce, was read a first time.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 371. House bill to prohibit the sale of fire-arms to youths or minors under the age of fifteen years.

No. 372. House bill to amend and re-enact section 2660 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 373. House bill to amend and re-enact chapter 192 of the Acts of 1885–'6, entitled an act to incorporate the town of Pulaski City, in the county of Pulaski.

No. 374. House bill for the protection of sheep in the counties of Bedford and Orange.

No. 375. House bill for the relief of E. H. Moorman, deputy treasurer of J. D. Clay, treasurer of Campbell county, reported from the committee on finance, was read a first time.

No. 376. House bill to incorporate the Dinwiddie granite company, reported from the committee on propositions and grievances, was read a first time.

Mr. FLOOD, under a suspension of the rules, presented

No. 377. House bill to provide for a new registration in the county of Appomattox, which was read a first time.

Mr. TINSLEY, under a suspension of the rules, presented

No. 378. House bill to authorize the loan of muskets to the Lofty Retreat male academy, which was read a first time.

Mr. BROWNE of *Nansemond*, under a suspension of the rules, presented

No. 379. House joint resolution in relation to the tariff on lumber, which was read a first time.

Mr. MARTIN, under a suspension of the rules, presented

No. 380. House bill to incorporate the Commercial club of Berkley, Norfolk county, Virginia.

The following House bills, reported from the special committee on school laws, were read a first time:

No. 381. House bill to promote the efficiency of the public free school system, and for this purpose to amend and re-enact sections 1430, 1435, 1438, 1447, 1448, 1464, 1468, 1472, 1483, 1486, 1487, 1489, 1509, 1512, 1513, 1514, 1520, 1523 and 1524, approved the —— day of May, 1887, of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth.

No. 382. House bill to provide a remedy against treasurers who are delinquent in the payment of school warrants.

No. 383. House bill to provide a uniform method of procedure to give the title to property vested in county school boards by section 1449 of the revised Code of Virginia, 1888.

No. 384. House bill to repeal an act approved on the 21st day of May, 1887.

On motion of Mr. CRAWFORD,

Resolved, That the chair be vacated this day at two P. M. and resumed at four P. M., and that hereafter, except Saturdays, the House meet at eleven A. M., the chair be vacated at two P. M. and resumed at four P. M., and that during the evening sessions the clerk shall alphabetically call the roll of members, and each member, as his named is reached, shall be allowed to call up a bill.

The committee on enrolled bills report that the governor has approved the following bills:

An act for the relief of the sureties of D. B. Baldwin, late treasurer of Tazewell county.

An act to authorize the board of supervisors of Clarke county a sum not exceeding one hundred dollars from the county levy for the purchase of fuel for the county jail.

An act to exempt undertakers from jury service.

An act to incorporate the Spotsylvania mining and manufacturing company.

An act to incorporate the Virginia State agricultural and mechanical society.

An act to amend and re-enact section 1 of chapter 227, Acts of 1881–'2, entitled an act for making and repairing division fences between coterminous land-owners in the counties of Alleghany, Bath, Botetourt, Highland, Rockbridge, Loudoun and Frederick, approved March 6, 1882, as amended and re-enacted by an act approved April 14, 1882, and as further amended and re-enacted by an act approved November 27, 1884.

An act authorizing the counties of Cumberland and Powhatan to change the form of bonds subscribed to the Farmville and Powhatan railroad company.

An act to incorporate the Danville and North Carolina railroad company.

An act to incorporate the Memorial asylum for infants in Fairfax county.

An act to allow the Charlottesville and University of Virginia electric light and gas company to locate its poles and wires in, along and through the streets and alleys of the town of Charlottesville.

An act to incorporate the Warwick Park transportation company.

An act to incorporate the James River Valley construction company.

An act to provide for the removal of obstructions from the Chickahominy river and to punish the obstruction of the same.

An act to incorporate the Danville storage company.

An act to allow Wm. O. Yager, treasurer of Page county, Va., further time to distrain, levy for and collect taxes and levies for which he has accounted to the State and county.

An act to extend the time of Ed. Major, treasurer of Charles City county, for the collection of taxes and county levies in his hands.

An act to amend and re-enact sections 1, 2, 5, 7, 9, 16, 17, 20 and 21 of an act entitled an act to provide a new charter for the town of Charlottesville, approved March 28, 1873, the act amending section 2, approved February 23, 1875, and the acts amending sections 4 and 17, approved April 28, 1874, and February 23, 1875, respectively.

An act to incorporate the *Bee*.

An act to authorize the council of the town of Gordonsville to issue bonds for the purpose of constructing water-works.

An act to amend and re-enact section 3 of chapter 391 of the Acts of 1887, entitled an act to secure to operatives and laborers engaged

in and about coal mines, manufactories of iron and steel and all other manufactories, the payment of their wages at regular intervals and in lawful money of the United States.

An act to authorize the issue of bonds and stock by the Chesapeake and Ohio railway company.

The following were presented and referred under Rule 37:

By Mr. ROANE: A bill to authorize the purchase for the State of the portrait of Augustus Warner, one of the speakers of the House of Burgesses of the colony of Virginia. Referred to the committee on finance.

By Mr. ALLENSWORTH: A bill to refund to J. B. Lightfoot taxes paid by him improperly assessed, in the county of Caroline. Referred to the committee on finance.

By Mr. ECHOLS: A bill for the relief of the estate of James F. Patterson, deceased. Referred to the committee on finance.

By Mr. SAUNDERS: A bill giving P. D. Divers, late treasurer of Franklin county, and his deputies the power of levy and distress to collect certain uncollected tax-tickets now in his hands. Referred to the committee on finance.

By Mr. ANDERSON of *Rockbridge*: Petition of J. F. Hite and others, asking for the relief of R. H. McCune, a disabled Confederate soldier. Referred to the committee on finance.

By Mr. ANDERSON of *Rockbridge*: A bill for the relief of C. W. Hardin, of Rockbridge. Referred to the committee on finance.

By Mr. COUNTS: A bill to incorporate the town of Estillville, in the county of Scott. Referred to the committee on counties, cities and towns.

By Mr. TYLER of *Prince William*: A bill to authorize the citizens of Prince William county to vote on the question of the removal of the courthouse from Brentsville to Manassas, and to enable the corporation of Manassas to issue bonds for the erection of public buildings in case removal to said corporation be agreed to by majority of voters of Prince William. Referred to the committee on counties, cities and towns.

By Mr. SILVER: A bill to extend the corporate limits of the city of Winchester. Referred to the committee on counties, cities and towns.

By Mr. COLEMAN: A bill to provide that the expenses of maintaining the circuit and corporation courts of Danville, Va., shall be defrayed jointly by town of Danville and the town of North Danville, also that the town of North Danville shall pay to the town of Danville for the privilege of using its jail such compensation as may be agreed on by the two corporations in order to be entitled to the use of the same. Referred to the committee for courts of justice.

By Mr. DABNEY: A bill to amend and re-enact sections 1240 and 1242, in relation to railroad companies, of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887. Referred to the committee on roads and internal navigation.

By Mr. FIGGATT: A bill to amend and re-enact section 28 of chapter 36, Code of 1873, as amended and re-enacted by an act approved February 27, 1880, as amended and re-enacted by an act approved April 21, 1882, in relation to the deposits of foreign insurance companies. Referred to the committee on propositions and grievances.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 291. House bill to give aid to soldiers, sailors and marines of Virginia maimed or disabled in the war between the States, and to the widows of Virginia soldiers, sailors and marines who lost their lives in said war in the military service, was, on motion of Mr. ANDERSON of *Rockbridge*, taken up out of its order on the calendar.

The bill was read a second time.

Mr. ANDERSON of *Rockbridge* offered an amendment in the nature of a substitute; which was ordered to be printed.

On motion of Mr. ANDERSON of *Rockbridge*, the bill was made a special continuing order for Thursday next at twelve o'clock M.

A message was received from the Senate by Mr. Williams, who informed the House that they had passed Senate bill No. 376, entitled an act to authorize the register of the land office to have certain plats and surveys recorded and indexed, in which they respectfully request the concurrence of the House.

The hour of one o'clock P. M. having arrived, special order,

No. 262. House bill to regulate commerce in the State, was read a second time.

Mr. HAY moved to amend the bill as follows:

Strike out section 26 down to line 15, and insert: "The sum of twelve thousand dollars is hereby appropriated to pay the salaries of the said commission and its clerk, and the expenses of said commission; the said salaries to be paid in the same manner as the salaries of the judges of the circuit courts, out of any money in the treasury not otherwise appropriated, and the annual expenses of the said commission shall be allowed and paid on the presentation of itemized vouchers therefor, approved by the president of said commission.

Pending which,

The hour of two o'clock P. M. having arrived, the chair was vacated until four o'clock P. M.

EVENING SESSION.

The chair was resumed at four o'clock P. M.

Special order,

House bill No. 262, was postponed on motion of Mr. ANDERSON of *Rockbridge*, until to-morrow at twelve o'clock M.

Special order,

House bill No. 289, was, on motion of Mr. CURTIS, postponed until to-morrow at twelve o'clock M.

No. 180. House bill providing a special game law for the county of Caroline, was read a second time.

On motions severally made by Mr. ALLENSWORTH, the bill was amended as follows:

Third line of 1st section, strike out "or tenant;" add at end of 2d section the following: "To be recovered before any justice of the said county, either party having the right of appeal to the county court."

The question being on ordering the bill to be engrossed, was put and decided in the negative.

The following Senate bills were read a third time and passed:

No. 322. Senate bill entitled an act to incorporate the Mecklenburg toll bridge company.

No. 338. Senate bill entitled an act to authorize the mayor and common council of the town of Liberty to borrow for said corporation a sum of money not exceeding twenty thousand dollars for the purpose of completing or making permanent improvements.

No. 365. Senate bill entitled an act to authorize the board of supervisors of Buckingham, Prince George and Surry counties to let to contract the public roads and levy a tax to keep the same in order.

Motions severally made to reconsider the votes by which Senate bills Nos. 322, 338 and 365 were passed, were rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 235. House bill for the relief of Sidney S. Fowlkes, of Nottoway county, from the payment of a fine imposed by the county court of Nottoway.

No. 356. House bill to require the county judge of Mecklenburg county to submit the question of continuing or repealing the present fence law to the qualified voters of any magisterial district or districts in said county, amended.

No. 221. House bill to secure to clerks, agents, workmen, servants and employees of every grade of service a lien upon the property of the person, firm or corporation for whom they work.

No. 344. House bill to provide the manner in which aid shall be extended to the poor of the several magisterial districts of Rock-

bridge county who are not supported in the county poor-house, was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. ANDERSON of *Rockbridge* moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

No. 316. House bill to allow A. R. Green, treasurer of Halifax county, and his deputies six months within which to distrain and levy for and collect tax-tickets for 1882, and J. W. Chandler, deputy collector, to make a further return of delinquents for 1882, was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. WATKINS moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 51; nays 11.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. W. A. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Catlett, Coleman, Corbett, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Evans, Ewell, Figgatt, Flood, A. W. Harris, Herbert, Herring, Hobson, Huffman, Jones, Kincheloe, Loving, Martin, Mayo, Montague, J. E. Moore, Overby, Parr, Pilcher, Quesenberry, E. L. Roberts, J. Roberts, Robinson, Starke, Terrell, Lyon G. Tyler, Watkins, Webb, West, Williams and Young—51.

NAYS—Messrs. Buford, Gordon, Hay, Magruder, McCandlish, Morton, Phillips, Pollard, Ryan, R. H. Tyler and Waddill—11.

Motions severally made to reconsider the votes by which House bills Nos. 344 and 316 were passed, were rejected.

No. 319. House bill to amend and re-enact section 93 of the charter of the city of Richmond concerning the fire department, was read a second time, amended, and ordered to be engrossed to be read a third time.

Mr. BUFORD moved to reconsider the vote by which the bill was ordered to be engrossed; which motion was rejected—yeas 17; nays 39.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, Corbett, Daingerfield, A. W. Harris, Mayo, McCandlish, Montague, Quesenberry, Roane, Robinson, Tinsley, Waddill, Webb and Young—17.

NAYS—Messrs. Allensworth, W. A. Anderson, Arnold, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Ewell, Figgatt, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Kincheloe, Loving, Magruder, J. E. Moore, Morton, Overby, Pilcher, E. L. Roberts, J. Roberts, Saunders, Silver, Starke, Lyon G. Tyler, R. H. Tyler, Watkins, West and Williams—39.

Mr. ROBERTS of *Washington* offered the following resolutions:

Whereas information has reached the House of Delegates of the death of the venerable Wyndham Robertson, who, as governor of this commonwealth and by his many public and private virtues, endeared himself to the people of the State; and

Whereas by his death this commonwealth has lost a citizen whose eminent services and high character entitle his memory to be revered as one of her most illustrious sons; therefore, be it

1. Resolved, That the House of Delegates hereby express its profound sorrow at the death of ex-Governor Robertson, and respectfully tenders its sympathy to his family in their bereavement.

2. That these resolutions be spread upon the Journal of the House of Delegates and be communicated to the governor with the request that he impart them to the family of deceased.

3. As a further mark of respect, that the House do now adjourn.

—Which were unanimously agreed to.

The SPEAKER declared the House adjourned until to-morrow at eleven o'clock A. M.

TUESDAY, FEBRUARY 14, 1888.

On motion of Mr. KINCHELOE, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 13, 1888.

The Senate have passed Senate bills entitled an act authorizing O. D. Lewis to redeem certain lots in the town of West Point, Va., sold for delinquent taxes, No. 97; an act to amend and re-enact section 4219, chapter 205, Code of Virginia, edition of 1887, in regard to criminal proceedings against convicts, No. 359; an act to amend and re-enact the 1st and 2d sections of an act entitled an act to authorize the council of the town of Gordonsville to issue bonds for the purpose of constructing water-works, approved February 9, 1888, No. 379; an act for the relief of Wm. B. Foster, clerk of circuit court of Wythe county, Va., No. 340; an act to amend and re-enact section 8 of the act approved March 3, 1884, entitled an act to incorporate the Pittsburg and Virginia railroad company, No. 118; an act to relieve John Jones of a fine and to refund the same to him, No. 138; an act to amend and re-enact section 11 of an act entitled an act to amend and re-enact sections 1, 3, 6, 9, 11, 12 and 15 of chapter 264 of Acts of Assembly of 1878–'79, to provide for the working of the public roads in Prince Edward county, approved January 29, 1886, No. 158; and an act to exempt from taxation the

Sanford charity school fund of the county of Accomac, No. 330; in which bills they respectfully request the concurrence of the House of Delegates.

Nos. 97, 138, 330 and 340. Senate bills, were read twice and referred to the committee on finance.

Nos. 158 and 379. Senate bills, were read twice and referred to the committee on counties, cities and towns.

No. 359. Senate bill, was read twice and referred to the committee for courts of justice.

No. 118. Senate bill, was read twice and referred to the committee on roads and internal navigation.

No. 376. Senate bill entitled an act to authorize the register of the land office to have certain plats and surveys recorded and indexed, was read twice and referred to the committee on finance.

The following Senate bills were reported from the committee on finance:

No. 233. Senate bill entitled an act to release the residue of certain judgments of the commonwealth against John G. Kasey, treasurer of Bedford county.

No. 199. Senate bill entitled an act to provide payment out of the public treasury to William T. Fitzpatrick, deputy sheriff, the amount of expense incurred by him in behalf of the commonwealth.

No. 240. Senate bill entitled an act for the relief of Joseph B. Worth of erroneous license tax.

No. 293. Senate bill entitled an act for the relief of G. S. Healey, sheriff of Middlesex county, with an amendment.

No. 285. Senate bill entitled an act for the relief of the tax-payers of Mathews county.

The following House bills, reported from the committee on finance, were read a first time:

No. 385. House bill to allow John R. Alrich further time to collect certain tickets.

No. 386. House bill for the relief of G. W. Howbert, of Roanoke county.

No. 387. House bill to authorize the auditor of public accounts to release real estate sold for delinquent taxes and purchased by the commonwealth under certain circumstances.

Mr. CORBETT, under a suspension of the rule, presented

No. 388. House bill to amend and re-enact section 33 of an act entitled an act to amend the charter of the city of Alexandria, approved January 20, 1871, as amended by an act approved March 22, 1871, and by an act approved March 17, 1876, and by an act approved March 20, 1879, and by an act approved March 25, 1879.

The following House bills, reported from the committee on Chesapeake and its tributaries, were read a first time:

No. 389. House bill to repeal chapter 149 of the Acts of the extra session of 1884, entitled an act for the protection of fish in Back Bay, in Princess Anne county, Va., approved November 27, 1884.

No. 390. House bill for the erection of a wharf by George Hughes on York river.

No. 391. House bill to incorporate the Rockbridge fair company, reported from the committee on propositions and grievances, was read a first time.

Leave of absence was granted Mr. MOORE of *Tazewell* for five days.

The following were presented and referred under Rule 37:

By Mr. DAINGERFIELD: A bill to amend and re-enact section 13 of an act approved April 28, 1887, entitled an act for the preservation of oysters, &c. Referred to the committee on Chesapeake and its tributaries.

By Mr. ASH: A bill regulating the appointment of teachers in certain cases in the public school of this State. Referred to the committee on schools and colleges.

By Mr. SCOTT: A bill to protect farmers against spurious fertilizers. Referred to the committee on agriculture and mining.

By Mr. MARTIN: A bill to incorporate the town of Berkley, in the county of Norfolk. Referred to the committee on counties, cities and towns.

By Mr. DUPUY: Resolved, That the committee on roads and internal navigation be instructed to enquire into the matter of connections between the Norfolk and Western and Richmond and Danville railroads at Berkeville, and in promotion of this enquiry they be authorized to send for persons and papers. Referred to the committee on roads and internal navigation.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 20. Senate bill entitled an act to incorporate the Danville and Great Western railroad company, was, on motion of Mr. COLEMAN, taken up out of its order on the calendar.

(No amendment from the committee on roads and internal navigation was found in the bill.)

On motions severally made by Mr. DABNEY, the bill was amended as follows:

Seventh section, 12th line, after "Virginia," insert, "Whose road may connect with the railroad hereby authorized to be constructed."

Add at end of 7th section the following:

Provided that no consolidation of the corporation hereby created with any corporation chartered by another State shall change the identity or work the dissolution of the corporation hereby created, but the consolidated company shall remain, as regards the operation of the works, property and franchises in this State of the corporation hereby created, a corporation of this State; and provided further, that whenever any corporation created by another State shall, pursuant to the provisions of this act, become the purchaser or lessee of the works, property and franchises in this State of the

corporation hereby created, such purchaser or lessee shall, *ipso facto*, become and be a corporation of this State and shall and may have use, exercise and enjoy all the rights, privileges and powers of the corporation hereby created, and be subject to all the duties and liabilities imposed upon the same by its charter and the general laws of this State; and provided further, that no lease of the works, property and franchises of the corporation hereby created shall release or exempt such corporation from any duties, liabilities or restrictions to which it would otherwise be subject.

—Which was agreed to.

The bill was ordered to its third reading.

No. 343. House bill to protect rabbits or hares in the county of Hanover, was, on motion of Mr. CARDWELL, taken up out of its order on the calendar.

The bill was read a second time.

On motion of Mr. CARDWELL, the bill was amended by inserting "Henrico."

The bill, as amended, was ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. CARDWELL moved that it be read a third time this day; which motion was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

No. 154. Senate bill entitled an act to incorporate the Pocahontas towing and transportation company, was, on motion of Mr. MARTIN, taken up out of its order on the calendar.

The bill was read a third time and passed.

Mr. MARTIN moved to reconsider the vote by which the bill was passed; which motion was rejected.

The report of the committee on conference on the disagreeing votes of the two houses on No. 71, Senate bill entitled an act to incorporate the Mount Vernon avenue association, as follows:

The joint committee on conference, to whom was referred Senate bill No. 71, as to the disagreeing votes of the two houses on the amendments thereto, recommend that the House recede from its amendments.

TAYLOR BERRY,
HENRY HEATON,
J. F. RYAN,
J. W. KINCHELOE.

—Was ageed to.

Ordered, That Mr. RYAN inform the Senate that the report of the committee on conference was agreed to.

A message was received from the Senate by Mr. Moore, who informed the House that the Senate had agreed to the report of the committee on conference.

No. 319. House engrossed bill to amend and re-enact section 93 of the charter of the city of Richmond concerning the fire department, was, on motion of Mr. BUFORD, taken up out of its order on the calendar.

The bill was read a third time and passed.

Mr. BUFORD moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. BUFORD carry the bill to the Senate and request their concurrence.

No. 315. House bill to allow Charles M. Shannon, James V. Richardson and N. J. Nelson, deputy treasurers for John W. Richardson, treasurer of Smyth county, to amend and add to their respective returns of delinquent taxes for years 1881, 1882, 1883 and 1884, was, on motion of Mr. ROBERTS of *Smyth and Bland*, taken up out of its order.

The bill was read a second time and ordered to be engrossed to be read a third time.

A message was received from the Senate by Mr. Hodges, who informed the House that the Senate had agreed to a joint resolution relative to the State's stock in the Chesapeake and Ohio railroad company; in which they respectfully request the concurrence of the House.

A message was received from the Senate by Mr. Stubbs, who informed the House that the Senate had passed House bill entitled an act to establish a normal school at William and Mary college in connection with its collegiate course, No. 53; in which they respectfully request the concurrence of the House.

A message was received from the Senate by Mr. Wickham, who informed the House that the Senate had passed Senate bill entitled an act authorizing the deputy treasurer of Caroline county to collect delinquent taxes, No. 367; in which they respectfully request the concurrence of the House.

No. 25. Senate bill entitled an act for the relief of John A. Roberts and John E. Roberts, of Charlotte county, was, on motion of Mr. CATLETT, taken up out of its order on the calendar.

The amendment proposed by the committee on finance to the preamble as follows:

In section 1, line 6, after "seventy," where it first appears in said line, insert "Seven."

—Was agreed to.

The bill was ordered to its third reading.

No. 163. Senate bill entitled an act to repeal an act entitled an act to limit the time within which the South Atlantic and Ohio railroad company shall commence and complete its road, approved March 10, 1884, and to legalize all corporate acts which the said company may have performed since the first day of December, 1887, was, on motion of Mr. ECHOLS, taken up out of its order on the calendar.

The substitute proposed by the committee on roads and internal navigation was agreed to.

The bill was ordered to its third reading.

The substitute being presently engrossed, the bill was read a third time and passed.

On motion of Mr. ECHOLS, the title was amended so as to read as follows:

"To amend and re-enact the charter of the South Atlantic and Ohio railroad company, and to legalize subscriptions and contracts and all corporate acts which the said company may have performed since the 1st day of December, 1887."

Mr. ECHOLS moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. ECHOLS carry the bill to the Senate and request their concurrence in the substitute of the House.

The hour of twelve o'clock M. having arrived, special order,

No. 262. House bill to regulate commerce in the State of Virginia, came up.

The amendment offered by Mr. HAY was rejected—yeas 27; nays 46.

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Ash, Goodman Brown, Carter, Craft, Crawford, Echols, Ewell, Hay, Herring, Hunter, Johnson, Leggett, Martin, Magruder, Montague, Pedigo, Pollard, Robinson, Sanger, Scott, Sebrell, Starke, Terrell, Tinsley, Lyon G. Tyler, Waddill and Webb—27.

NAYS—Messrs Speaker, Allensworth, W. A. Anderson, Arnold, Baldwin, Barbour, Bristow, John A. Browne, Buford, Catlett, Coleman, Corbett, Counts, Dabney, Daingerfield, Dickey, Dupuy, Edmondson, Figgatt, Flood, Gordon, J. S. Harris, Herbert, Hobson, Huffman, Jones, Kincheloe, Loving, J. E. Moore, Morton, Overby, Parr, Phillips, Pilcher, Quesenberry, Riner, E. L. Roberts, J. Roberts, Silver, Treat, R. H. Tyler, Watkins, West, Williams, Wright and Young—46.

Mr. TREAT moved to reconsider the vote by which the amendment offered by Mr. HAY was rejected; which motion was rejected.

Mr. WADDILL moved to amend the bill by striking out the words, "Be it enacted by the General Assembly of Virginia"; which was rejected—yeas 3; nays 57.

On motion of Mr. POLLARD, the vote was recorded as follows:

YEAS—Messrs. Martin, Waddill and Webb—3.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Bristow, Buford, Carter, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Ewell, Figgatt, Flood, Gordon, Hay, Herbert, Herring, Hobson, Huffman, Hunter, Jones, Johnson, Kincheloe, Leggett, Loving, Magruder, Mayo, J. E. Moore, Morton, Overby, Parr, Pedigo, Phillips, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Scott, Terrell, Lyon G. Tyler, R. H. Tyler, Williams and Wright—57.

Mr. MAYO moved the pending question, which was ordered.

Mr. POLLARD moved to reconsider the vote by which the pending question was ordered; which motion was agreed to—yeas 55; nays 14.

On motion of Mr. MAGRUDER, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Coleman, Dabney, Daingerfield, Dupuy, Edmondson, Evans, Ewell, Figgatt, Flood, Gordon, A. W. Harris, J. S. Harris, Herbert, Hobson, Hunter, Johnson, Kincheloe, Leggett, Magruder, McCandlish, Montague, J. E. Moore, Morton, Pedigo, Pilcher, Pollard, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Silver, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Webb, Wright and Young—55.

NAYS—Messrs. Carter, Corbett, Craft, Dickey, Echols, Hay, Herring, Jones, Loving, Martin, Mayo, Ryan, Treat and Watkins—14.

The question recurring on ordering the pending question, was put and decided in the negative.

Mr. TINSLEY moved to recommit the bill; which motion was rejected.

Mr. DABNEY moved to amend the bill by striking out the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th and 9th lines of section 1 and inserting the following:

"Be it enacted by the General Assembly of Virginia, That the provisions of this act shall apply to any railroad company engaged as a common carrier in the transportation of passengers or property wholly by railroad or partly by railroad and partly by water when both are used under a common control, management or arrangement for a continuous carriage or shipment originating from any place in the State of Virginia and destined to any other place in."

—Which was agreed to.

The hour of two o'clock P. M. having arrived, the chair was vacated until four o'clock P. M.

EVENING SESSION.

The chair was resumed at four o'clock P. M.

Special order,

No. 262. House bill, came up.

The question being on ordering the bill to be engrossed to be read a third time,

Mr. HAY moved the pending question; which was ordered—yeas 38; nays 34.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Arnold, Carter, Catlett, Coleman, Crismond, Curtis, Dickey, Echols, Edmondson, Flood, J. S. Harris, Hay,

Herbert, Huffman, Hunter, Johnson, Kincheloe, Loving, Magruder, Mayo, J. E. Moore, Morton, Parr, Pilcher, Pollard, Quesenberry, Robinson, Ryan, Sebrell, Silver, Terrell, Lyon G. Tyler, R. H. Tyler, West, Wright and Young—38.

NAYS—Messrs. Speaker, W. A. Anderson, Ash, Baldwin, Barbour, Bristow, Goodman Brown, John A. Browne, Corbett, Crawford, Daingerfield, Evans, Ewell, Figgatt, Gordon, A. W. Harris, Leggett, Martin, McCandlish, McKee, McNeil, Montague, Pedigo, Roane, E. L. Roberts, Sanger, Saunders, Starke, Tinsley, Treat, Waddill, Watkins, Webb and Williams—34.

The bill was ordered to be engrossed to be read a third time—yeas 53; nays 25.

On motion of Mr. PEDIGO, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Bristow, Carter, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Ewell, Figgatt, Flood, Gordon, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Mayo, J. E. Moore, Morton, Overby, Pilcher, Pollard, Riner, E. L. Roberts, Ryan, Saunders, Sebrell, Silver, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Williams and Wright—53.

NAYS—Messrs Ash, Barbour, Goodman Brown, John A. Browne, Dickey, Evans, A. W. Harris, Jones, Martin, Magruder, McCandlish, McNeil, Montague, Parr, Pedigo, Quesenberry, Roane, Robinson, Sanger, Starke, Tinsley, Treat, Waddill, Webb and Young—25.

Mr. ANDERSON of *Rockbridge* moved to reconsider the vote by which the bill was ordered to be engrossed; which motion was agreed to—yeas 44; nays 30.

On motion of Mr. ANDERSON of *Rockbridge*, the vote was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Ash, Baldwin, Barbour, Bristow, Goodman Brown, John A. Browne, Buford, Corbett, Craft, Daingerfield, Evans, Figgatt, Flood, Gordon, A. W. Harris, Herbert, Hobson, Huffman, Jones, Johnson, Leggett, Loving, Martin, Magruder, McCandlish, McKee, McNeil, Overby, Pedigo, Quesenberry, Riner, Robinson, Sanger, Saunders, Starke, Tinsley, Treat, Waddill, Watkins, Webb, Williams and Young—44.

NAYS—Messrs. Allensworth, D. W. Anderson, Arnold, Carter, Catlett, Coleman, Counts, Crawford, Curtis, Dupuy, Echols, Edmondson, Ewell, J. S. Harris, Hay, Hunter, Kincheloe, Mayo, Montague, J. E. Moore, Morton, Pilcher, E. L. Roberts, Sebrell, Silver, Terrell, Lyon G. Tyler, R. H. Tyler, West and Wright—30.

Mr. ANDERSON of *Rockbridge* moved to amend the bill by inserting as an independent section to come in after the 9th section the following:

10. No railroad company subject to the provisions of this act, and no lessee or receiver of any railroad in this State, shall engage directly or indirectly in the business of buying and selling coal, iron ore, iron, wheat, corn, hay or any other product or commodity which is or may be transported over the line of railway operated by such company, lessee or receiver.

Any act done in furtherance of any transaction of buying or selling any such product or commodity, shall be a violation of the

prohibition of this section; but nothing herein shall be construed to prohibit any such company, lessee or receiver from buying any article for its own use in the conduct of its legitimate business as a common carrier, and which may be necessary for the operation, repair or extension of the line of railway operated by such company, lessee or receiver, or from selling the same when no longer needed for its purposes.

—Which was rejected.

Mr. ANDERSON of *Rockbridge* moved to amend the bill by inserting after the word "whatsoever," in 8th line of 3d section, the following:

"And the giving of a free pass to any person or persons shall be construed as giving him or them an undue and unreasonable preference or advantage within the meaning of this act, except as provided in section 27th hereof."

—Which was agreed to—yeas 37; nays 32.

On motion of Mr. ANDERSON of *Rockbridge*, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Buford, Carter, Catlett, Coleman, Corbett, Crawford, Crismond, Dabney, Dupuy, Echols, Ewell, Figgatt, Flood, Gordon, J. S. Harris, Herbert, Hunter, Johnson, Kincheloe, Martin, Magruder, McKee, J. E. Moore, Morton, Pilcher, Ryan, Sanger, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West and Wright—37.

NAYS—Messrs. D. W. Anderson, Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, Craft, Daingerfield, Dickey, Edmondson, Hobson, Loving, Mayo, McClintic, McNeil, Montague, Overby, Parr, Pedigo, Phillips, Quesenberry, Roane, E. L. Roberts, Robinson, Saunders, Sebrell, Tinsley, Watkins, Webb, Williams and Young—32.

Mr. BUFORD moved to amend the bill by inserting after "employees," in 10th line of 27th section, the following: "Or their families or as charity to poor and necessitous persons."

Mr. ECHOLS moved that the House do now adjourn; which motion was rejected—yeas 26; nays 40.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, Counts, Craft, Daingerfield, Dickey, Echols, Loving, Martin, Magruder, Mayo, McClintic, McNeil, Pedigo, Phillips, Sanger, Tinsley, Waddill, Watkins, Webb, Williams and Young—26.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Buford, Carter, Catlett, Coleman, Corbett, Crawford, Crismond, Curtis, Dabney, Edmondson, Ewell, Figgatt, J. S. Harris, Herbert, Hobson, Hunter, Johnson, Kincheloe, McKee, Montague, Morton, Pilcher, Quesenberry, E. L. Roberts, Robinson, Saunders, Sebrell, Silver, Starke, Terrell, Treat, Lyon G. Tyler, R. H. Tyler, West and Wright—40.

The amendment offered by Mr. BUFORD was agreed to.

On motion of Mr. ECHOLS, the House adjourned until to-morrow at eleven o'clock A. M.

WEDNESDAY, FEBRUARY 15, 1888.

Mr. ECHOLS in the chair at the request of the SPEAKER.

On motion of Mr. HERBERT, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 14, 1888.

The Senate have passed House bills entitled an act to incorporate the Suburban and Exposition railway company, No. 219; an act to incorporate the Lynchburg cotton mill and improvement company, No. 313; and an act to amend the following acts: An act to incorporate the town of Rocky Mount, approved February 17, 1873, an act to amend the act of February 17, 1873, approved April 28, 1874, and an act amending and re-enacting section 2 of the act approved April 28, 1874, approved March 4, 1884, No. 220.

They have agreed to House joint resolution authorizing the governor to hire convicts to the Abingdon coal and iron railroad company, with an amendment, No. 228.

They have passed Senate bills entitled an act for the relief of Samuel Sweney and Elkanah Sweney, of Floyd county, No. 297; and an act to amend sections 30 and 33, chapter 60 of Acts of Assembly of 1878–'9, entitled an act prescribing the duties, powers, liabilities and compensation of certain county officers, providing for the collection of taxes and for the repeal of chapters 37 and 46, Code of 1873, approved March 29, 1875, as amended by an act of March 29, 1876, amending sections 15 and 30, and by an act approved the same day, amending section 47, and by an act approved March 20, 1877, and by an act approved April 2, 1877, amending the 18th and 20th sections, and by an act approved the same day, amending the 30th section, and by three several acts approved March 12, 1878, amending the 7th, 6th and 29th sections of said first-mentioned acts, and to repeal all acts and parts of acts inconsistent herewith, No. 72.

And they have agreed to Senate joint resolution relative to the sale of the State's stock in the Chesapeake and Ohio railroad company.

In which amendment, bills and joint resolution they respectfully request the concurrence of the House of Delegates.

No. 228. House bill, was placed on the calendar, the rule having been suspended on motion of Mr. ROBERTS of *Washington*, requiring its reference to a committee.

No. 297. Senate bill, was read twice and referred to the committee on finance.

No. 72. Senate bill, was read twice and referred to the committee on finance.

Senate joint resolution relative to the sale of the State's stock in the Chesapeake and Ohio railroad company, was read twice and referred to the committee on roads and internal navigation.

No. 367. Senate bill entitled an act authorizing the deputy treasurer of Caroline county to collect delinquent taxes, was read twice and referred to the committee on finance.

Senate joint resolution relative to the State's stock in the Chesapeake and Ohio railroad company, was read twice and referred to the committee on roads and internal navigation.

No. 53. Senate bill entitled an act to establish a normal school at William and Mary college in connection with its collegiate course, was read twice and referred to the committee on schools and colleges.

The following Senate bills were reported from the committee on counties, cities and towns:

No. 88. Senate bill entitled an act to amend the 8th section of an act to incorporate the James river bridge company.

No. 242. Senate bill entitled an act to amend and re-enact sections 13 and 54 of the charter of the city of Manchester.

No. 276. Senate bill entitled an act to enlarge the powers of the Richmond city railway company.

No. 335. Senate bill entitled an act to amend and re-enact the 23d section of the charter of the city of Richmond in relation to encroachment on streets.

No. 366. Senate bill entitled an act to amend and re-enact sections 1 and 4 of an act entitled an act to incorporate the Bristol-Goodson street railway company.

No. 379. Senate bill entitled an act to amend and re-enact the 1st and 2d sections of an act entitled an act to authorize the council of the town of Gordonsville to issue bonds for the purpose of constructing water-works, approved February 9, 1888.

No. 201. Senate bill entitled an act authorizing Princess Anne county to issue bonds for the purpose of opening certain roads (with an amendment in the nature of a substitute).

No. 359. Senate bill entitled an act to amend and re-enact section 4219, chapter 205, Code of Virginia, edition of 1887, in regard to criminal proceedings against convicts, was reported from the committee for courts of justice.

No. 392. House bill to amend and re-enact section 15 of an act entitled an act to amend and re-enact section 15, chapter 7, Code of Virginia, edition of 1873, in relation to the removal of voters from wards in which they are registered, reported from the committee on privileges and elections, was read a first time.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 393. House bill to empower the judge of the county court of Southampton county to appoint one or more policemen for the various magisterial districts of said county.

No. 394. House bill to incorporate the town of Estillville, in the county of Scott.

No. 395. House bill to repeal section 1168, chapter 48, Code 1887, fixing a limitation on banking associations in discounting accommodation paper to one-tenth part of the capital stock of such association actually paid in, reported from the committee on banks, currency and commerce, was read a first time.

The following were presented and referred under Rule 37:

By Mr. SIMPSON: A bill to allow the voters of Dranesville district, Fairfax county, to vote on the question of continuing or repealing the present fence law. Referred to the committee on counties, cities and towns.

By Mr. HERBERT: A bill to provide for working the roads in Norfolk county. Referred to the committee on counties, cities and towns.

By Mr. COLEMAN: Petition of E. E. Seay to be relieved from a fine. Referred to the committee on finance.

By Mr. CATLETT: A bill for the relief of the estate of C. G. Barksdale, deceased. Referred to the committee on finance.

By Mr. WADDILL: A bill to incorporate the building association of American lodge, No. 1789, grand united order of Odd-Fellows of the city of Richmond. Referred to the committee on propositions and grievances.

By Mr. ECHOLS: Petition of citizens of Augusta county and city of Staunton asking for the abolition of compulsory pilotage on coastwise vessels. Referred to the committee on banks, currency and commerce.

By Mr. COLEMAN: Petition of citizens of Danville, Va., asking a repeal of the pilot laws. Referred to the committee on banks, currency and commerce.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 201. House engrossed bill to provide for the purchase of certain property, an additional improvement for the State female normal school and to make appropriation therefor, was, on motion of Mr. DUPUY, taken up out of its order on the calendar.

Mr. HAY moved to commit the bill to the committee on finance; which motion was rejected.

The bill was read a third time and passed—yeas 69; nays 5.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, Buford, Carter, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Hobson, Hunter, Jarratt, Johnson, Kincheloe, Leggett, Martin, Mayo, McCandlish, McClintic, McKee, Montague, J. E. Moore, Morton, Mustain, Overby, Parr, Per-

kins, Phillips, Pilcher, Riner, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Starke, Terrell, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Watkins, Webb, West, Wilkins, Williams, Wright and Young—69.

NAYS—Messrs. Echols, Hay, Magruder, Quesenberry and Ryan—5.

Mr. DUPUY moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 245. House bill for the relief of Wm. M. Dooley, of Campbell county, was, on motion of Mr. TERRELL, taken up out of its order on the calendar.

The bill was read a second time.

Mr. TERRELL offered an amendment in the nature of a substitute; which was agreed to.

The bill, as amended, was ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. TERRELL moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 72; nays 2.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, Buford, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, A. W. Harris, J. S. Harris, Huffman, Hunter, Jarratt, Kincheloe, Leggett, Loving, Martin, Magruder, Mayo, McClintic, McKee, McNeil, Montague, J. E. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Scott, Sebrell, Silver, Simpson, Starke, Terrell, Tinsley, R. H. Tyler, Watkins, West, Williams, Wright and Young—72.

NAYS—Messrs. Hay and Treat—2.

Mr. TERRELL moved to reconsider the vote by which the bill was passed; which motion was rejected.

A message was received from the Senate by Mr. Berry, who informed the House that the Senate had passed an act to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, No. 113, with an amendment; in which they respectfully request the concurrence of the House.

No. 20. Senate bill entitled an act to incorporate the Danville and Great Western railroad company, was, on motion of Mr. COLEMAN, taken up out of its order.

The bill was read a third time and passed.

Mr. COLEMAN moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. COLEMAN carry the bill to the Senate and request their concurrence.

No. 329. House bill to incorporate the Dismal Swamp hunting club, of Norfolk county, was, on motion of Mr. MARTIN, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

The report of the committee on privileges and elections in the contested election case of Love against Overby, of Lunenburg, came up.

Mr. CATLETT moved to pass by the report and print the evidence taken subsequently to the report of the committee; which motion was rejected—yeas 40; nays 41.

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Arnold, Baldwin, Barbour, Carter, Catlett, Coleman, Crismond, Dabney, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Hay, Herbert, Huffman, Kincheloe, Leggett, Loving, Magruder, McKee, J. E. Moore, Morton, Mustain, Pilcher, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, Watkins, Wilkins and Williams—40.

NAYS—Messrs. W. A. Anderson, Ash, Baskerville, Bristow, Goodman Brown, Buford, Corbett, Counts, Craft, Daingerfield, Dickey, Gordon, A. W. Harris, Hunter, Jarratt, Johnson, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, Parr, Pedigo, Perkins, Phillips, Pollard, Quesenberry, Riner, Roane, E. L. Roberts, Robinson, Sanger, Scott, Tinsley, Treat, R. H. Tyler, Waddill, Webb, West and Young—41.

Mr. POLLARD moved to reconsider the vote by which the House refused to pass by and print; which motion was agreed to.

The motion by Mr. CATLETT was agreed to.

The hour of two o'clock P. M. having arrived, the chair was vacated until four o'clock P. M.

EVENING SESSION.

The chair was resumed at four o'clock P. M.

No. 370. House bill to amend and re-enact sections 12 and 14 of an act entitled an act to repeal chapter 91 of the Code of 1873, and all acts and parts of acts in relation to the pilots and piloting of vessels, and to enact a law to govern and regulate pilots and piloting of vessels in the waters of the State of Virginia, approved April 21, 1882, was read a second time.

On motions severally made by Mr. TREAT, the bill was amended as follows: In 4th, 7th and 10th lines of the 12th section, as proposed to be amended, strike out "Yorktown" and insert "West Point."

Mr. EDWARDS moved to amend the bill by adding at end of the 13th section, as proposed to be amended, the following:

Pilots shall receive pilotage at the following rates: For every vessel owned by citizens of the United States, and for every vessel owned by a citizen or subject of any foreign State whose vessels are by treaty placed on the same footing as vessels of the United States, if the vessel be spoken or boarded to the eastward of Cape Henry, there shall be paid for each foot the vessel draws as follows: From

sea to Smith's Point, West Point, Newport News, Norfolk or any place between Smith's Point, West Point, Newport News or Norfolk, vessels drawing under twelve feet, $3.00 per foot; vessels drawing under fifteen feet, $4.00 per foot; vessels drawing fifteen feet and over, $5.00 per foot. There shall be paid the same pilotage from Smith's Point, West Point, Newport News or Norfolk, or any intermediate point to sea, as from sea to those places. Vessels coming from sea to Hampton Roads and thence to any port in Maryland, shall be subject to the same rate of pilotage as vessels bound to sea.

—Which was rejected.

The bill, as amended, was ordered to be engrossed to be read a third time.

On motion of Mr. CATLETT, the House adjourned until to-morrow at eleven o'clock A. M.

THURSDAY, FEBRUARY 16, 1888.

On motion of Mr. SILVER, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 15, 1888.

The Senate have passed House bills entitled an act to incorporate the town of Mount Jackson in the county of Shenandoah, No. 341; an act to relieve Mrs. Maria Simpson Throgmorton, of Henrico county, of taxes improperly paid by her, No. 63; an act to incorporate Tazewell female seminary, No. 97; an act to incorporate the North Amherst railroad company, No. 119; an act to allow K. B. Stoner, late treasurer of Botetourt county, further time to make settlement and to return delinquents and to collect tax-tickets, No. 145; an act to incorporate the Young men's christian association of Portsmouth, Va., No. 207; an act to provide for a re-assessment of the lands in Brambleton ward, in the city of Norfolk, No. 218; and an act to amend an act, approved February 19, 1886, to incorporate the Mineral Springs railroad company, No. 326.

They have rejected House bill entitled an act to authorize the board of visitors of the university to commute gifts, devises and bequests to said university taking effect in future and to settle questions arising in relation thereto by arbitration or suit, No. 125.

They have passed Senate bills entitled an act to incorporate the Roanoke and Franklin turnpike company, No. 156; an act for the relief of Lillian Womack, a lunatic, No. 402; an act to incorporate the Virginia and North Carolina construction company, No. 248; and an act to amend the charter of the Sherwood female seminary

at Staunton, Va., approved May 21, 1887, No. 351; in which bills they respectfully request the concurrence of the House of Delegates.

No. 113. House bill entitled an act to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, was placed on the calendar, the rule having been suspended on motion of Mr. HAY, requiring its reference to a committee.

No. 248. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. HUFFMAN, requiring its reference to a committee.

No. 351. Senate bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. HAY, requiring its reference to a committee.

No. 402. Senate bill, was read twice and referred to the committee on finance.

No. 156. Senate bill, was read twice and referred to the committee on counties, cities and towns.

No. 165. Senate bill to incorporate the Manteo pleasure association, was reported from the committee on propositions and grievances.

No. 231. Senate bill to incorporate the Norma iron railroad company, was reported with amendments from the committee on roads and internal navigation.

No. 395. House bill to prescribe for the schooling and limit of labor of children employed in manufacturing and other establishments, reported from the committee on propositions and grievances, was read a first time.

The following bills, reported from the committee on roads and internal navigation, were read a first time:

No. 396. House bill to incorporate the Hampton and Old Point street, passenger and freight railway company (with a recommendation that it do not pass).

No. 397. House bill to incorporate the Portsmouth and Southwestern railroad company.

No. 398. House bill to provide that the expenses of maintaining the circuit and corporation courts of Danville, Va., shall be defrayed jointly by the town of Danville and the town of North Danville; also, that the town of North Danville shall pay to the town of Danville for the privilege of using its jail such compensation as may be agreed on by the two corporations in order to be entitled to the use of the same, was reported from the committee for courts of justice.

The following House bills, reported from the committee on finance, were read a first time:

No. 399. House bill giving P. D. Divers, late treasurer of Franklin county, and his deputies the power of levy and distress to collect certain uncollected tax-tickets now in his hands.

No. 352. House bill to amend and re-enact section 441 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, heretofore committed to the committee on finance, was reported back.

Mr. ROBERTS of *Washington*, under a suspension of the rule, presented

No. 400. House bill to amend and re-enact the 23d section of an act entitled an act to provide for the working of the roads in the county of Washington, approved March 29, 1877.

Mr. ROBERTS of *Washington*, under a suspension of the rule, presented

No. 401. House bill to extend the time of settlement for John C. Gray, treasurer of Washington county; which was read a first time.

No. 402. House bill to create a board of equalization of the assessment of real estate for purposes of taxation, reported from the committee on finance, was read a first time.

No. 403. House joint resolution in reference to the hire of convicts confined in the penitentiary, reported from the committee on asylums and prisons, was read a first time.

Mr. HARRIS of *Albemarle* moved a suspension of the rule to have placed on the calendar a bill to provide for trial by jury in civil actions pending before a justice, and to increase the jurisdiction of a justice; which was rejected—yeas 30; nays 42.

On motion of Mr. HARRIS of *Albemarle*, the vote was recorded as follows:

YEAS—Messrs. Allensworth, Ash, Baldwin, Carter, Corbett, Craft, Curtis, Edmondson, J. S. Harris, Jarratt, Johnson, Kincheloe, Martin, McClintic, McNeil, Montague, Parr, Pedigo, Phillips, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Sanger, Scott, Silver, R. H. Tyler, West and Young—30.

NAYS—Messrs. Speaker, W. A. Anderson, Barbour, Buford, Catlett, Coleman, Crawford, Crismond, Dabney, Daingerfield, Dickey, Echols, Edwards, Evans, Ewell, Figgatt, Flood, A. W. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Leggett, Magruder, McCandlish, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Perkins, Ryan, Saunders, Sebrell, Simpson, Starke, Terrell, Tinsley, Watkins and Williams—42.

A report of the special committee appointed to investigate and report upon alleged abuses in the use of free passes by members of this House was presented as follows:

To the House of Delegates:

The committee appointed under a resolution of the House to inquire into and report upon alleged abuses in the use of free railroad passes by members of this House, respectfully report as follows:

Your committee only examined three witnesses—Messrs. E. PARR, R. H. SPENCER and JOHN M. DICKEY, members of this House—whose names had been connected with the alleged abuses in the use of free railroad passes, and as they were satisfied that all the ma-

terial facts in these cases were disclosed by these witnesses, it was deemed unnecessary to take any further formal testimony. It is proper, however, to say in vindication of the character of this body that your committee made diligent inquiry among various members of the House as to the lending of free railroad passes by members of the body to others than those whose names were inserted in the passes, and they have been unable to find a single instance of the kind except the cases disclosed by the three members above-named, and those cases were confined alone to themselves. The testimony of the said three witnesses is filed herewith.

Inverting somewhat the order in which the testimony was given, it will be noted that Mr. R. H. SPENCER, the member from Buckingham county, stated that Delegate PARR asked him if he had a pass over a particular railroad; that he told him he had; that Mr. PARR said he wanted to go home, asked the loan of his ticket, and got it. This witness further stated that this was the only time he had ever loaned his pass out, and did not know of any other member lending out his pass.

Mr. JOHN M. DICKEY, the delegate from Grayson county, testified that Delegate PARR had come to him and asked him if he had a pass over a particular railroad; that he had told him he had; that PARR said he wanted to borrow it for a friend, as there was nothing wrong in it; that he (PARR) had just borrowed one from Mr. SPENCER, and it had frequently been done among the members, and that he let him have the pass. Witness knew of no other instance of lending a pass.

Mr. E. PARR, the member from Henry county, testified that we frequently apply for friends for passes—that he did not have time to send to Washington city for passes, and that he asked Messrs. DICKEY and SPENCER to lend him their passes, and they did so; that the passes had an endorsement on them in these words—to-wit: "If presented by any other person than the individual named therein, the conductor will take up this ticket and collect fare." That the tickets were issued in the names of the members of the House; that he loaned them to persons who were not members of the House, but were constituents of his; that said persons travelled with him upon said passes to Washington city and back home as far as Danville; that said persons exhibited said tickets to the conductor as evidence of their right to travel upon them; that the conductor took the tickets away from them at Danville because they were not members of the Legislature. Witness further stated that he did not know of any other members lending out his pass, and added that if he did he would not tell, although in point of fact he had just openly exposed the names of the two friends from whom he had borrowed passes to loan out, and when pressed for his reason for this, he said that if he named a member, the delegate designated would be injured as he had been injured, if he was injured by it. Subsequently, witness testified that "it is my impression that I could" have gotten free tickets from

Washington. When his special attention was called to what he had said the day before on the floor of the House, that "it was common for members to lend their passes out." Witness could only say that some nameless person had informed him that it was the custom of former Legislatures, but he had never heard of a member of this Legislature doing it.

With regard to the connection of Messers SPENCER and DICKEY with this transaction, it goes without saying that they permitted an improper use of their free passes; but this seems to have been the result of an amiable weakness rather than a premeditated device to do wrong. At all events they do not appear to have been actively moved by a device to obtain any advantage to themselves directly or through their own constituents, and were actuated only by a too willing readiness to oblige a friend in a matter in which a more serious consideration would probably have suggested a different course.

But the case of Mr. PARR is entirely different. His action was premeditated. He had considered it. Indeed, when he asked Mr. DICKEY for the loan of his pass, he reasoned the case with him and told him "there was nothing wrong in it," and that "it had frequently been done among the members." So that taken singly and by itself, the action of Mr. PARR, in borrowing and lending these free railroad passes, was a willful and deliberate violation of every principle of good conduct and propriety. But when considered in connection with his subsequent conduct, it becomes more glaringly flagrant. It will be remembered that his first utterance upon the floor of the House upon the occasion of the introduction of the resolution under which this investigation was had, was that "it was common for members to lend their passes out"—thus attempting to justify his own conduct by seeking to involve others in like conduct. This was true, or it was untrue. If true, it brought discredit upon the members of the House; if untrue, it was a gross slander. And Mr. PARR was compelled to admit under oath in his examination the very next day, that it was untrue, and that he had never known or heard of another instance of the kind in this House, except those in which he himself had been the prime mover.

Taken in detail or altogether, the conduct of Mr. PARR in connection with the borrowing and lending of these free passes, is reprehensible in the extreme; is without a single circumstance of mitigation, and is aggravated at its every successive stage by additional criminating involvements.

All of which is respectfully submitted,

L. D. STARKE, *Chairman*,
L. C. WATKINS,
G. C. HUFFMAN,
L. C. BRISTOW,
W. P. ROANE.

February 15, 1888.

The following were presented and referred under Rule 37:

By Mr. HERBERT: A bill to define and extend the powers of the council of the city of Portsmouth. Referred to the committee on counties, cities and towns.

By Mr. TYLER of *Richmond city:* A bill to amend and re-enact section 6 of chapter 124 of the Code of 1873, in relation to the estate of infants and insane persons. Referred to the committee for courts of justice.

By Mr. PARR: A bill to protect the wife of an insane person. Referred to the committee for courts of justice.

By Mr. MOORE of *Clarke and Warren:* A bill to authorize the employment of a stenographer in certain criminal cases. Referred to the committee for courts of justice.

By Mr. HARRIS of *Albemarle:* A bill to provide for trial by jury in civil actions pending before a justice, and to increase the jurisdiction of a justice. Referred to the committee for courts of justice.

By Mr. SIMPSON: A bill relating to the hiring of county convicts. Referred to the committee on asylums and prisons.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 154. House engrossed bill to incorporate the Edgewood cemetery company, of Augusta county, was, on motion of Mr. Crawford, taken up out of its order on the calender.

The bill was read a third time and passed—yeas 74.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Ash, Baldwin, Barbour, Baskerville, Bristow, Goodman Brown, Buford, Catlett, Coleman, Corbett, Craft, Crawford, Curtis, Dabney, Daingerfield, Dickey, Echols, Edmondson, Evans, Ewell, Figgatt, Flood, Gordon, A. W. Harris, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Jarratt, Johnson, Kincheloe, Leggett, Magruder, McCandlish, McClintic, McKee, McNeil, Montague, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Scott, Sebrell, Silver, Simpson, Starke, Terrell, Tinsley, R. H. Tyler, Watkins, West, Williams and Young—74.

Mr. CRAWFORD moved to reconsider the vote by which the bill was passed; which motion was rejected.

A message was received from the Senate by Mr. Hurt, who informed the House that the Senate had agreed to the amendments of the House to Senate bill entitled an act to incorporate the Danville and Great Western railroad company, No. 20, with amendments; in which they respectfully request the concurrence of the House.

The SPEAKER laid the bill before the House.

The bill was placed on the calendar, the rule having been suspended on motion of Mr. DABNEY, requiring its reference to a committee.

No. 299. House engrossed bill to amend and re-enact section 614 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, was, on motion of Mr. HUNTER, taken up out of its order on the calendar.

The bill was read a third time and passed—yeas 66; nays 3.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, Buford, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Edmondson, Edwards, Ewell, Figgatt, Flood, A. W. Harris, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Jarratt, Johnson, Kincheloe, Leggett, Martin, Magruder, McClintic, McNeil, Montague, A. Moore, Jr., Morton, Mustain, Overby, Pedigo, Perkins, Phillips, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Starke, Terrell, Treat, R. H. Tyler, Watkins, West and Williams—66.

NAYS—Messrs. Echols, Hay and Ryan—3.

On motion of Mr. HUNTER, the title was amended as follows:

To amend and re-enact section 614 of chapter 27 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the compensation of county and city treasurers.

Mr. HUNTER moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 293. Senate bill entitled an act for the relief of G. S. Healey, sheriff of Middlesex county, was, on motion of Mr. BRISTOW, taken up out of its order on the calendar.

On motion of Mr. BRISTOW, the bill was recommitted to the committee on finance.

No. 350. House bill extending the time to Charles W. Woolfolk, treasurer of Orange county, for the collection of certain taxes and levies, was, on motion of Mr. MORTON, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. MORTON moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

Mr. MORTON moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 374. House bill for the protection of sheep in the counties of Bedford and Orange, was, on motion of Mr. WEST, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

No. 370. House engrossed bill to amend and re-enact sections 12 and 14 of an act entitled an act to repeal chapter 91 of the Code of 1873, and all acts and parts of acts in relation to the pilots and pilot-

ing of vessels, and to enact a law to govern and regulate pilots and piloting of vessels in the waters of the State of Virginia, approved April 21, 1882, was, on motion of Mr. BUFORD, taken up out of its order on the calendar.

The bill was read a third time and passed.

Mr. CURTIS moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 159. House bill to amend and re-enact section 2871 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, in relation to special partnerships, was, on motion of Mr. SAUNDERS, taken up out of its order on the calendar.

The bill was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. SAUNDERS moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

Mr. SAUNDERS moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. SAUNDERS carry the bill to the Senate and request their concurrence.

No. 141. Senate bill entitled an act to relieve the Baltimore, Cincinnati and Western railway company from any forfeiture which may have accrued from failure to commence and complete its road within the time limited in its act of incorporation, and to invest the said company with all the powers, privileges and franchises granted by said act, approved March 8, 1880, entitled an act to incorporate the Baltimore, Cincinnati and Western railway company and for other purposes, was, on motion of Mr. SILVER, taken up out of its order on the calendar.

The bill was read a third time and passed.

Mr. SILVER moved to reconsider the vote by which the bill was passed; which motion was rejected.

The hour of twelve o'clock M. having arrived, special order,

No. 262. House bill to regulate commerce in the State of Virginia, came up.

Mr. FIGGATT moved to reconsider the vote by which the amendment offered by Mr. ANDERSON of *Rockbridge* (in relation to free passes) was agreed to; which motion was rejected—yeas 18; nays 60.

On motion of Mr. POLLARD, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Baldwin, Bristow, Dickey, Edmondson, Figgatt, Hay, Herbert, Loving, McClintic, J. E. Moore, Perkins, Phillips, E. L. Roberts, J. Roberts, Saunders, Scott and Williams—18.

NAYS—Messrs. Speaker, Allensworth, W. A. Anderson, Ash, Baskerville, Goodman Brown, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Dabney, Daingerfield, Echols, Edwards, Evans, Ewell, Flood, Gordon, A. W.

Harris, J. S. Harris, Hobson, Huffman, Hunter, Jarratt, Johnson, Kincheloe, Leggett, Martin, Magruder, McCandlish, Montague, A. Moore, Jr., Morton, Mustain, Overby, Parr, Pedigo, Pollard, Porter, Quesenberry, Roane, Robinson, Ryan, Sanger, Sebrell, Simpson, Starke, Terrell, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, West, Wright and Young—60.

Mr. MAGRUDER moved to amend the bill by striking out all after the word "distance" in 10th line of 4th section, down to and including the word "same" in 17th line of same section, and inserting in lieu thereof the following:

"Nor shall it be lawful for any common carrier subject to the provisions of this act to charge or receive any greater compensation in the aggregate for the transportation of passengers or of like kind of property, under substantially similar circumstances and conditions, from any point within the State to any other point in the same, than is charged in the aggregate for a like transportation from any point beyond the limits of the State to the same point of destination within the State, the carriage being in the same direction and over the same line; nor shall any common carrier subject to the provisions of this act charge or receive any greater compensation in the aggregate for the transportation of passengers or of like kind of property, under substantially similar circumstances and conditions, from any point within the State to any other point in the same, than is charged in the aggregate for a like transportation from the same originating point within the State to any point beyond the limits of the State, the carriage being in the same direction and over the same line."

—Which was agreed to.

Mr. WADDILL moved to amend the bill by striking out in the 4th and 5th lines of 11th section the words, "Who shall be appointed by the board of public works," and inserting, "Who shall be elected by the General Assmbly"; which was rejected—yeas 39; nays 44.

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Ash, Baldwin, Baskerville, Bristow, Goodman Brown, Carter, Corbett, Craft, Crismond, Daingerfield, Dickey, Evans, A. W. Harris, J. S. Harris, Huffman, Jarratt, Loving, Martin, McCandlish, McClintic, McNeil, Montague, Parr, Pedigo, Perkins, Phillips, Pollard, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Tinsley, Treat, Waddill, West and Young—39.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, Barbour, Buford, Catlett, Coleman Counts, Crawford, Curtis, Dabney, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Hay, Herbert, Hobson, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, Williams and Wright—44.

Mr. STARKE moved to amend the bill by striking out in the 73d and 74th lines of section 6 the words "court of this State in the judicial circuit" and insert in lieu thereof the following: "Or corporation court of any county or city in this State"; which was rejected.

Mr. FIGGATT moved the pending question; which was ordered.

Mr. WADDILL moved to reconsider the vote by which the pending question was ordered; which motion was rejected—yeas 32; nays 44.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, Daingerfield, Dickey, Echols, Evans, A. W. Harris, Hobson, Loving, Martin, Magruder, McCandlish, McNeil, Montague, Pedigo, Perkins, Phillips, Roane, Robinson, Sanger, Saunders, Scott, Starke, Tinsley, Treat, Waddill, Watkins and Webb—32.

Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Barbour, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Edmondson, Edwards, Ewell, Figgatt, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, A. Moore, Jr., J. E. Moore, Mustain, Parr, Porter, Quesenberry, E L. Roberts, J. Roberts, Ryan, Sebrell, Silver Simpson, Terrell, Lyon G. Tyler, R. H. Tyler, West, Williams and Wright—44.

The question being on ordering the bill to be engrossed to be read a third time, was put and decided in the affirmative—yeas 57; nays 21.

On motion of Mr. PEDIGO, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Baldwin, Bristow, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, Montague, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pollard, Porter, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Williams and Wright—57.

NAYS—Messrs. Ash, Baskerville, Goodman Brown, A. W. Harris, Jarratt, Loving, Martin, McCandlish, McClintic, Parr, Pedigo, Perkins, Phillips, Quesenberry, Robinson, Sanger, Scott, Tinsley, Waddill, Webb and Young—21.

Mr. ECHOLS moved to reconsider the vote by which the bill was ordered to be engrossed; which motion was rejected—yeas 38; nays 43.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Craft, Daingerfield, Dickey, Echols, Evans, A. W. Harris, Huffman, Jarratt, Loving, Martin, Magruder, McCandlish, McKee, McNeil, Montague, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Saunders, Scott, Tinsley, Treat, Waddill, Watkins, Webb and Young—38.

NAYS—Messrs. Speaker, Allensworth, W. A. Anderson, Buford, Carter, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Dabney, Edmondson, Ewell, Figgatt, Flood, J. S. Harris, Hay, Herbert, Hobson, Hunter, Johnson, Kincheloe, A. Moore, Jr., J. E. Moore, Morton, Mustain, Parr, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Williams and Wright—43.

A message was received from the Senate by Mr. Dalton, who informed the House that the Senate had passed Senate bill entitled an act to authorize the Elizabeth park and land company to construct a

toll-bridge across Broad creek between the counties of Norfolk and Princess Anne, No. 119; in which they respectfully request the concurrence of the House.

The SPEAKER laid before the House a communication from the auditor of public accounts in response to a resolution of the House in relation to amounts due by treasurers for the four years previous to the end of the last fiscal year.

On motion of Mr. MCCANDLISH, the communication and accompanying table was ordered to be printed.

Special order,

No. 289. House bill to establish a bureau of labor and industrial statistics, and defining the duties and powers of the same and fixing the salary of the commissioner thereof, came up.

Pending which,

The hour of two o'clock P. M. having arrived, the chair was vacated until four o'clock P. M.

EVENING SESSION.

The chair was resumed at four o'clock P. M.

Special order,

No. 289. House bill, again came up.

Mr. WADDILL offered an amendment in the nature of a substitute.

Mr. POLLARD moved to amend the substitute by striking out in 10th and 11th lines of 1st section the words, "Is not a practical mechanic actually engaged in some kind of mechanical work," and inserting," "Is not a laboring person actually engaged in mechanical, agricultural, commercial or mining work"; which was agreed to.

The substitute offered by Mr. WADDILL, as amended, was rejected—yeas 24; nays 49.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Daingerfield, Dickey, Evans, A. W. Harris, Jarratt, Martin, McNeil, Montague, Parr, Perkins, Phillips, Porter, Roane, Robinson, Sanger, Treat, Waddill, Webb and Young—24.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Baldwin, Buford, Carter, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Edmondson, Edwards, Ewell, Figgatt, Flood, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pollard, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Williams and Wright—49.

The bill was ordered to be engrossed to be read a third time—yeas 41; nays 32.

Mr. WADDILL moved to reconsider the vote by which the pending question was ordered; which motion was rejected—yeas 32; nays 44.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, Daingerfield, Dickey, Echols, Evans, A. W. Harris, Hobson, Loving, Martin, Magruder, McCandlish, McNeil, Montague, Pedigo, Perkins, Phillips, Roane, Robinson, Sanger, Saunders, Scott, Starke, Tinsley, Treat, Waddill, Watkins and Webb—32.

Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Barbour, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Edmondson, Edwards, Ewell, Figgatt, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, A. Moore, Jr., J. E. Moore, Mustain, Parr, Porter, Quesenberry, E L. Roberts, J. Roberts, Ryan, Sebrell, Silver Simpson, Terrell, Lyon G. Tyler, R. H. Tyler, West, Williams and Wright—44.

The question being on ordering the bill to be engrossed to be read a third time, was put and decided in the affirmative—yeas 57; nays 21.

On motion of Mr. PEDIGO, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Baldwin, Bristow, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, Montague, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pollard, Porter, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Williams and Wright—57.

NAYS—Messrs. Ash, Baskerville, Goodman Brown, A. W. Harris, Jarratt, Loving, Martin, McCandlish, McClintic, Parr, Pedigo, Perkins, Phillips, Quesenberry, Robinson, Sanger, Scott, Tinsley, Waddill, Webb and Young—21.

Mr. ECHOLS moved to reconsider the vote by which the bill was ordered to be engrossed; which motion was rejected—yeas 38; nays 43.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Craft, Daingerfield, Dickey, Echols, Evans, A. W. Harris, Huffman, Jarratt, Loving, Martin, Magruder, McCandlish, McKee, McNeil, Montague, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Saunders, Scott, Tinsley, Treat, Waddill, Watkins, Webb and Young—38.

NAYS—Messrs. Speaker, Allensworth, W. A. Anderson, Buford, Carter, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Dabney, Edmondson, Ewell, Figgatt, Flood, J. S. Harris, Hay, Herbert, Hobson, Hunter, Johnson, Kincheloe, A. Moore, Jr., J. E. Moore, Morton, Mustain, Parr, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Williams and Wright—43.

A message was received from the Senate by Mr. Dalton, who informed the House that the Senate had passed Senate bill entitled an act to authorize the Elizabeth park and land company to construct a

toll-bridge across Broad creek between the counties of Norfolk and Princess Anne, No. 119; in which they respectfully request the concurrence of the House.

The SPEAKER laid before the House a communication from the auditor of public accounts in response to a resolution of the House in relation to amounts due by treasurers for the four years previous to the end of the last fiscal year.

On motion of Mr. MCCANDLISH, the communication and accompanying table was ordered to be printed.

Special order,

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Pending which,

The hour of two o'clock P. M. having arrived, the chair was vacated until four o'clock P. M.

EVENING SESSION.

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Mr. WADDILL offered an amendment in the nature of a substitute.

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The substitute offered by Mr. WADDILL, as amended, was rejected—yeas 24; nays 49.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Daingerfield, Dickey, Evans, A. W. Harris, Jarratt, Martin, McNeil, Montague, Parr, Perkins, Phillips, Porter, Roane, Robinson, Sanger, Treat, Waddill, Webb and Young—24.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Baldwin, Buford, Carter, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Edmondson, Edwards, Ewell, Figgatt, Flood, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pollard, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Williams and Wright—49.

The bill was ordered to be engrossed to be read a third time—yeas 41; nays 32.

On motion of Mr. BUFORD, the vote was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Baldwin, Bristow, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Crawford, Crismond, Curtis, Dabney, Echols, Edmondson, Edwards, Ewell, Figgatt, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Leggett, J. E. Moore, Morton, Mustain, E. L. Roberts, J. Roberts, Sanger, Saunders, Silver, Terrell, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins and Williams—41.

NAYS—Messrs. Allensworth, D. W. Anderson, Ash, Goodman Brown, Daingerfield, Evans, Flood, Gordon, A. W. Harris, Hay, Martin, Magruder, McKee, McNeil, Montague, A. Moore, Jr., Pedigo, Perkins, Phillips, Pollard, Quesenberry, Roane, Robinson, Ryan, Sebrell, Simpson, Spencer, Starke, Tinsley, Webb, West and Wright—32.

Mr. FIGGATT moved to reconsider the vote by which the bill was ordered to be engrossed; which motion was rejected.

Mr. PARR arose to a privileged question. He had read by the clerk an abstract in a newspaper from the report of the special committee in relation to the abuse of the use of free passes, and had also read by the clerk letters bearing on the subject.

Mr. POLLARD moved that the report of the special committee be recommitted to the committee with instructions to recommend to the House what action should be taken by the House in the matter.

Mr. WADDILL moved to add that the committee be directed to take any additional testimony that may be considered advisable.

Mr. STARKE offered the following:

Resolved, That E. PARR be, and he is hereby, expelled from a seat on this floor as a member of this House.

The motion by Mr. POLLARD, as amended by the motion by Mr. WADDILL, was agreed to.

On motion of Mr. CRAWFORD, the House adjourned until to-morrow at eleven o'clock A. M.

FRIDAY, FEBRUARY 17, 1888.

On motion of Mr. SCOTT, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 16, 1888.

The Senate have passed House bills entitled an act to amend and re-enact an act approved May 6, 1887, entitled an act to incorporate the Mineral railroad company and to change the name to that of the Alexandria and Charleston railroad company, No. 169; and an act extending the time to Thomas Waller, late treasurer of Stafford county, for the collection and settlement of certain taxes and levies, No. 242.

They have agreed to the substitute proposed by the House of Delegates to Senate bill entitled an act to repeal an act entitled an act to limit the time within which the South Atlantic and Ohio railroad company shall commence and complete its road, approved March 10, 1884, and to legalize all corporate acts which the said company may have performed since the 1st day of December, 1887, No. 163.

They have passed Senate bills entitled an act to relieve the owners of certain lands sold to the commonwealth for the non-payment of taxes and liens accrued prior to 1884, No. 83; and an act for the relief of Franklin Willis, of Wise county, No. 95; in which bills they respectfully request the concurrence of the House of Delegates.

No. 83. Senate bill, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. ANDERSON of *Fluvanna*, requiring its reference to a committee.

No. 95. Senate bill, was read twice and referred to the committee on finance.

No. 119. Senate bill entitled an act to authorize the Elizabeth park and land company to construct a toll-bridge across Broad creek, between the counties of Norfolk and Princess Anne, was read twice and referred to the committee on counties, cities and towns.

No. 367. Senate bill entitled an act authorizing the deputy treasurer of Caroline county to collect delinquent taxes, was reported from the committee on finance.

No. 404. House bill to authorize the employment of a stenographer in certain criminal cases, reported from the committee for courts of justice, was read a first time.

No. 405. House bill to amend and re-enact section 62, chapter 98, Code of 1873, to provide a uniform system of text-books for public free schools and to furnish such books at cost, reported from the committee on schools and colleges (with a recommendation that it do not pass), was read a first time.

No. 406. House bill to amend and re-enact section 28 of chapter 36, Code of 1873, as amended and re-enacted by an act approved February 27, 1880, as amended and re-enacted by an act approved April 21, 1882, in relation to the deposits of foreign insurance companies, reported from the committee on propositions and grievances, was read a first time.

No. 407. House bill to incorporate the Atlantic wharf and dock company, reported from the committee on Chesapeake and its tributaries, was read a first time.

Mr. TYLER of *Prince William*, under a suspension of the rule, presented

No. 408. House bill to extend the time in which W. W. Kincheloe, county treasurer of Prince William county, shall be authorized to collect taxes, which was read a first time.

Mr. POLLARD, under a suspension of the rule, presented

No. 409. House bill to authorize F. E. Henshaw to place a boom in Mattaponi river, which was read a first time.

Mr. COLEMAN offered the following resolution:

Resolved, That on and after this day this House shall meet at eleven o'clock A. M., and that after the morning hour and until one o'clock P. M. the roll shall be called and each member shall be at liberty to call up a bill; and that at one o'clock the calendar shall be called or special orders proceeded with in regular order; and that after the roll has been called through it shall be from time to time called again with a like privilege to each member to call up a bill: provided, that no bill of a general character shall be called up to which there is opposition.

Mr. HAY moved to amend the resolution by striking out the words, "Provided that no bill of a general character shall be called up to which there is opposition"; which was rejected.

The resolution offered by Mr. COLEMAN was rejected.

Mr. MAGRUDER offered the following resolution:

Resolved, That the finance committee be instructed to include in the appropriation bill to be reported by them to this house the sum of $533,185.85 for the interest on the public debt funded under the act approved February 14, 1882, entitled an act to ascertain and declare Virginia's equitable share of the debt, &c., as the first item to be paid out of the revenue for each of the two years provided for by said appropriation bill, and out of said sum of $533,185.85 shall be paid—first, the interest on the bonds funded under said act of February 14, 1882, held by others than the State; second, the interest on the bonds funded under said act held by the State, except those held strictly for purposes of a sinking fund; third, the residue to be turned over to the commissioners of the sinking fund, to be by them invested in any bonds of this State or in bonds of the United States, as to them may seem best, to be held as the other sinking fund of the State.

The House referred the resolution to the committee on finance.

The committee on enrolled bills report that the governor has approved the following bills:

An act to incorporate the Black Mountain coal and iron company.

An act to incorporate the Loudoun County and Frederick bridge company for the purpose of constructing a bridge at Point of Rocks, in Frederick county, Maryland, across the Potomac river to Loudoun county, Va.

An act to incorporate the Big Stone Gap steel and iron company.

An act to amend an act entitled an act to legalize certain subscriptions of the town of Goodson, Va., to the South Atlantic and Ohio railroad company upon certain conditions, approved May 24, 1887.

An act to change the name of the Virginia boom and log company to Clinchport improvement company and to amend sections 1, 2, 3 and 6 of its charter.

An act declaring certain ground under water, known as Hog Island flats, open and eligible for the planting and sowing of oysters.

An act to incorporate the Montrose land and improvement company.

An act extending time of F. W. Payne, late treasurer of King George county, for the collection of certain taxes and levies.

An act to incorporate the Samaritan beneficial society.

An act to incorporate the Green Springs tramway company.

An act for working and repairing the public roads in Nottoway county.

An act to incorporate the Newport News cemetery company.

An act to allow H. R. Garland, late treasurer of Richmond county, one year to collect any uncollected tax-tickets for the years 1884–'85, for which he has accounted to the auditor.

An act, joint resolution, authorizing the sale of the State's interest in the Chesapeake and Ohio railroad company.

The following were presented and referred under Rule 37:

By Mr. POLLARD: A bill to refund to G. W. Ellis and R. L. Ellis collateral inheritance tax. Referred to the committee on finance.

By Mr. POLLARD: Petition of G. W. and R. L. Ellis. Referred to the committee on finance.

By Mr. MAGRUDER: Resolution instructing the finance committee to make appropriations. Referred to the committee on finance.

By Mr. MUSTAIN: A bill to amend and re-enact an act approved March 3d, 1886, entitled an act to authorize the voters of Pittsylvania county to vote for or against the repeal of the present fence law by magisterial districts. Referred to the committee on counties, cities and towns.

By Mr. STARKE: Petition of citizens of Berkley, Norfolk county, against incorporating the town of Berkley. Referred to the committee on counties, cities and towns.

By Mr. CORBETT: A bill to incorporate the Ivanwold hotel and ferry company. Referred to the committee on roads and internal navigation.

By Mr. HAY: A bill to prescribe what judges may practice law. Referred to the committee for courts of justice.

The morning hour having expired, the House proceeded to the business on the calendar.

The following House bills were, on motions severally made, read a second time and ordered to be engrossed to be read a third time:

No. 193. House bill to incorporate the town of Blackstone, in Nottoway county, Va. (On motion of Mr. OVERBY.)

No. 230. House bill for working and keeping in repair the roads and bridges in Spotsylvania county. (On motion of Mr. CRISMOND.)

The bills being presently engrossed,

On motions severally made, the bills were read a third time this day (two-thirds in the House so determining, respectively).

The bills were passed.

Motions severally made to reconsider the votes by which the bills were passed, were rejected.

Ordered, That Mr. DUPUY carry House bill No. 193 to the Senate and request their concurrence.

No. 315. House engrossed bill to allow Charles M. Shannon, James V. Richardson and N. J. Nelson, deputy treasurers of John W. Richardson, treasurer of Smyth county, to amend and add to their respective returns of delinquent taxes for years 1882, 1883 and 1884, was, on motion of Mr. ROBERTS of *Smyth and Bland*, taken up out of its order on the calendar.

The bill was read a third time and rejected—yeas 46; nays 28.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. W. A. Anderson, Ash, Baldwin, Bristow, Goodman Brown, John A. Browne, Coleman, Corbett, Counts, Craft, Crawford, Dickey, Edmondson, Edwards, Elam, Evans, Figgatt, Gordon, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Leggett, Loving, Mayo, McNeil, J. E. Moore, Mustain, Overby, Parr, Pedigo, Phillips, Porter, Quesenberry, E. L. Roberts, J. Roberts, Sanger, Scott, Spencer, Starke, Terrell, Tinsley, Watkins, Webb and Young—46.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Carter, Catlett, Flood, Hay, Johnson, Magruder, McCandlish, McKee, Montague, A. Moore, Jr., Perkins, Pollard, Riner, Roane, Robinson, Ryan, Sebrell, Silver, Simpson, Treat, Waddill, Wilkins, Williams and Wright—28.

No. 362. Senate bill entitled an act to amend and re-enact section 5 of an act entitled an act to incorporate the Norfolk fuel and gas-light company, of Norfolk, Virginia, approved January 27, 1888, was, on motion of Mr. EDWARDS, taken up out of its order on the calendar.

The bill was read a third time and passed.

Mr. EDWARDS moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 335. Senate bill entitled an act to amend and re-enact the 23d section of the charter of the city of Richmond in relation to encroachment on streets, was, on motion of Mr. RYAN, taken up out of its order on the calendar.

On motion of Mr. RYAN, the bill was recommitted to the committee on counties, cities and towns.

Special order,

No. 262. House engrossed bill to regulate commerce in the State of Virginia, came up.

Mr. HAY moved the pending question; which was ordered.

The bill was read a third time and passed—yeas 55; nays 24.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Bristow, Carter, Catlett, Coleman, Corbett, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Ewell, Figgatt, Gordon, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Leggett, Loving,

Magruder, McKee, A. Moore, Jr., J. E. Moore, Mustain, Overby, Pilcher, Pollard, Porter, E. L. Roberts, J. Roberts, Ryan, Saunders. Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—55.

NAYS—Messrs. Ash, Barbour, Goodman Brown, John A. Browne, Counts, Craft, Elam, Evans, A. W. Harris, Martin, Mayo, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Webb and Young—24.

Mr. HAY moved to reconsider the vote by which the bill was passed.

Mr. MCCANDLISH moved to pass by the motion; which was rejected.

Mr. DABNEY moved the pending question; which was ordered—yeas 50; nays 30.

On motion of Mr. BROWNE of *Nansemond*, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Carter, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Dupuy, Edmondson, Ewell, Figgatt, Gordon, J. S. Harris, Hay, Herbert, Huffman, Hunter, Johnson, Loving, Magruder, McKee, Montague, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, Porter, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Terrell, Lyon G. Tyler, R. H. Tyler, West, Wilkins, Williams and Wright—50.

NAYS—Messrs. Ash, Bristow, Goodman Brown, John A. Browne, Corbett, Counts, Craft, Daingerfield, Echols, Elam, Evans, A. W. Harris, Mayo, McCandlish, McClintic, Parr, Pedigo, Perkins, Phillips, Quesenberry. Riner, Roane, Robinson, Sanger, Scott, Spencer, Treat, Waddill, Webb and Young—30.

The motion made by Mr. HAY to reconsider the vote by which the bill was passed, was rejected—yeas 26; nays 51.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. Ash, Bristow, Goodman Brown, John A. Browne, Counts, Craft, Daingerfield, Elam, Evans, A. W. Harris, Martin, Mayo, McCandlish, Montague, Parr, Pedigo, Perkins, Phillips, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer and Webb—26.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Carter, Catlett, Coleman, Corbett, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Ewell, Figgatt, Flood, Gordon, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, Porter, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—51.

Mr. BUFORD asked to have it entered on the Journal, that had he been present when the vote was taken he would have voted in the affirmative.

Special order,

No. 289. House engrossed bill to establish a bureau of labor and industrial statistics, and defining the duties and powers of the same, and fixing the salary of the commissioner thereof, came up.

Mr. CARTER moved the pending question, which was ordered.

The bill was read a third time and passed—yeas 63; nays 16.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, Bristow, Goodman Brown, John A. Browne, Carter, Coleman, Corbett, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, A. W. Harris, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Loving, Mayo, McCandlish, McKee, Montague, J. E. Moore, Morton, Mustain, Phillips, Pilcher, Porter, Riner, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Simpson, Spencer, Starke, Terrell, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West and Williams—63.

NAYS—Messrs. D. W. Anderson, Catlett, Craft, Flood, Hay, Martin, Magruder A. Moore, Jr., Parr, Pedigo, Perkins, Quesenberry, Roane, Ryan, Sebrell and Wright—16.

Mr. TYLER of *Richmond city* moved to reconsider the vote by which the bill was passed; which motion was rejected.

Mr. BUFORD asked to have it entered on the Journal, that had he been present he would have voted in the affirmative.

Messrs. ARNOLD and DUPUY asked to have it entered on the Journal, that had they been present when the vote was taken on ordering No. 262, House bill to regulate commerce in the State of Virginia, they would have voted in the affirmative.

A message was received from the Senate by Mr. Harrison, who informed the House that the Senate had passed Senate bill entitled an act to amend and re-enact sections 3 and 6 of an act entitled an act to incorporate the Martinsburg and Potomac railroad company, approved July 9, 1870, No. 414; in which they respectfully request the concurrence of the House.

Special order,

No. 291. House bill to give aid to soldiers and marines of Virginia maimed or disabled in the war between the States, and to the widows of Virginia soldiers, sailors and marines who lost their lives in said war in the military service, was read a second time.

The question being on agreeing to the substitute reported from the committee on finance.

The substitute was amended.

Mr. ELAM moved to amend the substitute by inserting after "per annum" in line 19, section 1, the following: "To every such citizen who shall have reached the age of sixty years, sixty dollars per annum"; which was rejected—yeas 11; nays 57.

On motion of Mr. ELAM, the vote was recorded as follows:

YEAS—Messrs. Ash, Goodman Brown, Corbett, Elam, Evans, Martin, McNeil, Phillips, Tinsley, Treat and Young—11.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Baldwin, Barbour, Bristow, John A. Browne, Carter, Catlett, Coleman, Counts, Dabney, Daingerfield, Dupuy, Edwards, Ewell, Figgatt, Flood, Gordon, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Leggett, Loving, Ma-

gruder, McKee, Montague, A. Moore, Jr., J. E. Moore, Mustain, Perkins, Pilcher, Pollard, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Ryan, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Watkins, Webb, West, Williams and Wright—57.

Mr. ELAM moved to amend the substitute by inserting after "per annum" in 15th line of 1st section the following: "To every such citizen who has reached the age of seventy years fifty dollars per annum."

Mr. POLLARD moved the previous question; which was ordered—yeas 52; nays 18.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Carter, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Edwards, Ewell, Figgatt, Flood, Gordon, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Mustain, Overby, Perkins, Pilcher, Pollard, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Ryan, Sebrell, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Williams and Wright—52.

NAYS—Messrs. Ash, Bristow, John A. Browne, Daingerfield, Elam, Evans, Martin, McClintic, McNeil, Parr, Phillips, Robinson, Saunders, Spencer, Treat, Waddill, Webb and Young—18.

The hour of two o'clock P. M. having arrived, the chair was vacated until four o'clock P. M.

EVENING SESSION.

The chair was resumed at four o'clock P. M.

The amendment offered by Mr. ELAM to substitute to House bill No. 291, was rejected—yeas 21; nays 40.

On motion of Mr. ELAM, the vote was recorded as follows:

YEAS—Messrs. Ash, Bristow, John A. Browne, Corbett, Dickey, Elam, Evans, A. W. Harris, Martin, McCandlish, McNeil, Montague, Morton, Parr, Phillips, Porter, Riner, Sanger, Tinsley, Treat and Waddill—21.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Ewell, Figgatt, Gordon, Hay, Herbert, Huffman, Hunter, Johnson, Leggett, McKee, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, R. H. Tyler, West and Williams—40.

The substitute as amended was agreed to.

The bill, as amended, was ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. ANDERSON of *Rockbridge* moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 71.

The vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Ash, Barbour, Bristow, Goodman Brown, John A. Browne, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Elam, Evans, Ewell, Figgatt, Gordon, A W. Harris, J. S. Harris, Hay, Herbert, Huffman, Hunter, Johnson, Leggett, Martin, Magruder, Mayo, McCandlish, McKee, McNeil, Montague, Morton, Mustain, Overby, Parr, Perkins, Phillips, Pilcher, Porter, Quesenberry, Riner. E. L. Roberts, J. Roberts. Ryan, Sanger, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, West, Williams and Wright—71.

Mr. WEST moved to reconsider the vote by which the bill was passed; which motion was rejected.

Mr. YOUNG asked to have it entered on the Journal, that had he been present when the vote was taken he would have voted in the affirmative.

No. 25. Senate bill entitled an act for the relief of John A. Roberts and John E. Roberts, of Charlotte county, was read a third time and passed—yeas 61.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Ash, Barbour, Bristow, Goodman Brown, John A. Browne, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Daingerfield, Dickey, Dupuy, Elam, Evans, Figgatt, Gordon, A. W. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Leggett, Martin, Mayo, McCandlish, McKee, McNeil, Montague, Morton, Mustain, Overby, Parr, Perkins, Phillips, Pilcher, Quesenberry, Riner, E. L. Roberts, J. Roberts, Sanger, Saunders, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Williams and Young—61.

Mr. CATLETT moved to reconsider the vote by which the bill was passed; which motion was rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 318. House bill to amend and re-enact section 4 of an act, approved May 14, 1887, entitled an act to prevent the destruction of fish and to prevent the obstruction of the free passage of the same in Dan river, at or near Danville, Virginia.

No. 150. House bill to amend and re-enact section 22 of an act, approved March 8, 1884, entitled an act to provide for the working of public roads and bridges.

No. 251. House bill to authorize county subscriptions to the capital stock of the Charleston, Cincinnati and Chicago railroad company. (Amended).

No. 198. House bill to prohibit fishing in the waters of the north fork of Holstein river by seines and traps, or by poisoning or by killing with dynamite. (Amended).

No. 385. House bill to allow John R. Alrich further time to collect certain tax-tickets.

Nos. 318 and 150. House bills, being presently engrossed,

On motions severally made, they were read a third time, respectively, this day (two-thirds in the House so determining).

The bills were read a third time and passed, respectively.

Motions severally made to reconsider the votes by which House bills Nos. 318 and 150 were passed, were rejected.

No. 96. House bill for the protection of fish in the waters of the commonwealth above tide-water.

The bill was further amended.

Mr. HAY moved to lay the bill on the table; which motion was rejected.

The bill was ordered to be engrossed to be read a third time.

Mr. ECHOLS moved to reconsider the vote by which the bill was ordered to be engrossed; which motion was agreed to.

Mr. HAY moved to indefinitely postpone the bill; which motion was rejected—yeas 36; nays 36.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Bristow, Goodman Brown, John A Browne, Catlett, Crismond, Dabney, Daingerfield, Evans, Ewell, A. W. Harris, Hay, Leggett, Mayo, McCandlish, McKee, Montague, A. Moore, Jr., Overby, Parr, Perkins, Pilcher, Quesenberry, Riner, E. L. Roberts, J. Roberts, Ryan, Saunders, Silver, Simpson, Treat, R. H. Tyler, West and Young—36.

NAYS—Messrs. W. A. Anderson, Ash, Carter, Coleman, Corbett, Counts, Craft, Crawford, Curtis, Echols, Edmondson, Edwards, Elam, Figgatt, Gordon, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Martin, Magruder, J. E. Moore, Morton, Mustain, Pollard, Sebrell, Spencer, Starke, Terrell, Tinsley, Lyon G. Tyler, Waddill, Williams and Wright—36.

On motion of Mr. HAY, the bill was recommitted to the committee on propositions and grievances.

No. 20. Senate bill entitled an act to incorporate the Danville and Great Western railroad company.

The first amendment of the Senate was agreed to.

The second amendment of the Senate was agreed to.

The third amendment of the Senate was disagreed to.

On motion of Mr. BUFORD, the House adjourned until to-morrow at eleven o'clock A. M.

SATURDAY, FEBRUARY 18, 1888.

On motion of Mr. MAYO, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 17, 1888.

The Senate have passed House bills entitled an act for the relief of the sureties of Isaac N. Akers, late treasurer of Patrick county, No. 309; an act to allow Joseph T. Fudge, treasurer of Alleghany county, further time to distrain, levy and collect certain tax-tickets and license taxes for which he has accounted to the State, No. 290; an act to authorize a special district school tax in Auburn school district of the county of Montgomery, No. 330; an act to incorporate the Virginia publishing company, No. 250; an act to authorize the board of supervisors of Essex to rescind an order in relation to working public roads, No. 323; an act to authorize the board of supervisors of Rockbridge county to establish a ferry over James river, near Glenwood depot, No. 100; an act to provide the manner in which aid shall be extended to the poor of the several magisterial districts of Rockbridge county who are not supported in the county poor-house, No. 344; an act to incorporate Brambleton lodge, No. 56, Knights of Pythias, of Norfolk city, Virginia, No. 172; an act for the relief of the tax-payers of Alleghany county, No. 239; an act to incorporate the Middletown and Capon Springs turnpike company, No. 234; an act to incorporate the West-End water company, No. 177; an act to protect rabbits or hares in the counties of Hanover and Henrico, No. 343; an act to incorporate the Augusta telephone and telegraph company, No. 256; an act to incorporate the Foreign mission board of the Southern Baptist convention, No. 176; an act to require the county judge of Greensville county to submit the question of continuing or repealing the fence law to the qualified voters of Belfield magisterial district in said county, upon certain conditions, No. 269; an act to incorporate the town of Blackstone, in Nottoway county, Virginia, No. 193; an act to incorporate the Edgewood cemetery company, of Augusta county, No. 154; an act declaring boundary lines legal fences in that portion of Manassas district, in Prince William county, lying north of Warrenton turnpike, No. 194; an act to allow A. R. Green, treasurer of Halifax county, and his deputies six months within which to distrain and levy for, and collect tax-tickets for 1882, and J. W. Chandler, deputy collector, to make a further return of delinquents for 1882, No. 316; an act for the relief of J. B. Dortch, of Halifax county, from a fine imposed by Halifax county court, No. 240; an act to allow A. R. Green, treasurer of Halifax county, and J. H. Franklin, W. P. Carter, J. S. Price, W. T. Craxton and B. P. Sydnor, deputy collectors for A. R. Green, treasurer of Halifax county, six months to collect any uncollected tax-tickets in their hands and not

returned delinquent for 1882, 1883, 1884, 1885 and 1886, No. 243; and an act to amend and re-enact the charter of the town of Waynesboro as approved April 28, 1874, and amended March 15, 1875, No. 273.

They have passed, with amendments, the following House bills entitled an act to amend and re-enact section 907 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, No. 215; an act to amend and re-enact sections 22, 27 and 28 of chapter 181 of Acts of 1874–'5, so far as they relate to the county of Fluvanna, No. 270; an act to amend and re-enact section 93 of the charter of the city of Richmond concerning the fire department, No. 319; and an act to constitute the town of Salem a separate school district, No. 267.

They have agreed to House joint resolution respecting the quarters of the Southern historical society, No. 167.

They have passed with a substitute thereof House bill entitled an act to regulate and establish measures to be used in buying and selling oysters in this State in the shells, No. 197.

They have passed Senate bills entitled an act for the relief of Wm. H. Carter, of Washington county, No. 144; an act to allow W. G. Miller, treasurer of Rappahannock county, and his sureties twelve months to collect any uncollected tax-tickets in their hands and not returned delinquent for 1882, 1883, 1884, 1885 and 1886, No. 380; an act to amend and re-enact section 1 of an act entitled an act to incorporate the Wytheville and Iron Mountain railroad company, passed February 16, 1886, No. 390; an act to incorporate the Alexandria perpetual building fund association, No. 374; and an act for the relief of Jacob Fisher and Robt. E. Stuart, No. 350.

In which amendments and bills they respectfully request the concurrence of the House of Delegates.

Nos. 197, 270, 319, 267 and 215. House bills, were placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

No. 380. Senate bill, was read twice and referred to the committee on finance.

No. 390. Senate bill, was read twice and referred to the committee on roads and internal navigation.

No. 374. Senate bill, was read twice and referred to the committee on propositions and grievances.

Nos. 144 and 350. Senate bills, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

No. 414. Senate bill entitled an act to amend and re-enact sections 3 and 6 of an act entitled an act to incorporate the Martinsburg and Potomac railway company, approved July 9, 1870, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. SILVER, requiring its reference to a committee.

No. 94. House bill entitled an act to amend and re-enact section 848 of chapter 369, Code of Virginia of 1887, relating to the duties and compensation of district officers, was reported from the committee on counties, cities and towns.

The following Senate bills were reported from the committee on roads and internal navigation:

No. 118. Senate bill entitled an act to amend and re-enact section 8 of the act approved March 3, 1884, entitled an act to incorporate the Pittsburg and Virginia railroad company.

No. 308. Senate bill entitled an act to amend and re-enact an act entitled an act to incorporate the Midlothian, Manchester and Richmond railway and mining company.

The following House bills, reported from the committee on finance, were read a first time:

No. 410. House bill for the relief of T. E. McCracken from a fine imposed by the corporation court.

No. 411. House bill for the relief of J. Winston Repass, treasurer of Wythe county.

No. 412. House bill to relieve Rev. Isaac Long, of Rockingham county, of taxes improperly paid by him.

No. 413. House bill to empower the trustees of the district school board of Gill s creek and Black Water school districts, Franklin county, to use any surplus county school funds belonging to said district for the purpose of purchasing or erecting buildings for school purposes or discharging any indebtness of the said district, reported from the committee on schools and colleges, was read a first time

No. 414. House bill to amend the charter of the city of Williamsburg, reported from the committee on counties, cities and towns, was read a first time.

The following House bills, placed on the calendar on motions severally made, were read a first time:

No. 415. House bill to provide for the sale of real estate in the town of Farmville delinquent for the non-payment of taxes due said town.

No. 416. House bill to abolish compulsory labor upon the public roads in the county of Smyth.

No. 417. House bill to extend the time for the collection of tax-tickets in the hands of L. Wilson, J. P. Charleton and A. A. Sullivan, deputies of C. W. Sullivan, deceased, treasurer of Montgomery county.

No. 402. Senate bill entitled an act for the relief of Lillian D. Womack, a lunatic, was reported from the committee on finance.

Mr. RYAN offered the following resolution:

Resolved, That on and after Monday next the House will meet at eleven o'clock A. M., and immediately after the expiration of the morning hour the roll shall be called in alphabetical order, commencing at the name next succeeding that of the member whose name was last called on the roll, and each member shall, if present when his name is called, call up one bill, and the calling of the roll shall continue each day from the time of the commencement of said

calling to the hour of half-past one o'clock P. M., at which hour the calendar shall be called in its regular order, unless the House shall make a special order.

—Which was agreed to.

Mr. POLLARD, under a suspension of the rule, offered the following resolution:

Resolved, That the auditor of public accounts be instructed to report to this House whether the law enacted at the last extra session requiring a license of persons engaged in the business of selling liquors by sample and imposing a tax for such privilege has been enforced, and, if not, why not?

—Which was agreed to.

A message was received from the Senate by Mr. Read, who informed the House that the Senate had agreed to the amendment of the House to Senate bill entitled an act for the relief of John A. Roberts and John E. Roberts, of Charlotte county, No. 25.

The following were presented and referred under Rule 37:

By Mr. HARRIS of *Dinwiddie:* A bill for working and keeping in repair the roads of the county of Dinwiddie. Referred to the committee on counties, cities and towns.

By Mr. STARKE: Petition of citizens of the village of Berkley, in Norfolk county, in favor of incorporating said village in the town of Berkley. Referred to the committee on counties, cities and towns.

By Mr. DABNEY: A bill to amend the charter of the town of Charlottesville Referred to the committee on counties, cities and towns.

By Mr. EWELL: A bill to repeal an act for the preservation of oysters, and to obtain revenue for the privilege of taking them within the waters of the commonwealth, approved March 4, 1884, as amended by the act approved November 26 and November 29, 1884, as amended by the act of March 9, 1886, as amended by the act approved April 28, 1887. Referred to the committee on the Chesapeake and its tributaries.

By Mr. ANDERSON of *Rockbridge:* A bill for the relief of John B. Pitzer late treasurer of Alleghany county. Referred to the committee on finance.

By Mr. FIGGATT: A bill to authorize the superintendent of public buildings and grounds to repair same. Referred to the committee on finance.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 65. House bill entitled an act to provide for the payment of justices of the peace, witnesses and physicians in certain cases, came up.

The amendment of the Senate was disagreed to.

No. 228. House joint resolution authorizing the governor to hire convicts to the Abingdon coal and iron railroad company, came up.

The amendment of the Senate was agreed to.

No. 113. House bill entitled an act to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, came up.

The amendment of the Senate was agreed to.

No. 215. House bill entitled an act to amend and re-enact section 907 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, came up.

The amendment of the Senate to the title was agreed to.

No. 267. House bill entitled an act to constitute Salem a separate school district, came up.

The amendments of the Senate were agreed to.

No. 197. House bill entitled an act to regulate and establish measures to be used in buying and selling oysters in this State in the shells, came up.

The substitute of the Senate was agreed to.

No. 270. House bill entitled an act to amend and re-enact sections 22, 27 and 28 of chapter 181 of Acts 1874–'5, so far as they relate to the county of Fluvanna, came up.

The amendment of the Senate was agreed to.

No. 94. House bill entitled an act to amend and re-enact section 848 of chapter 369, Code of Virginia of 1887, relating to the duties and compensation of district officers, came up.

The amendment of the Senate was agreed to.

No. 319. House bill entitled an act to amend and re-enact section 93 of the charter of the city of Richmond concerning the fire department, came up.

The amendments of the Senate were agreed to.

Motions severally made to reconsider the votes by which the several amendments of the Senate to House bills Nos. 228, 113, 215, 267, 197, 94 and 319 were agreed to, were rejected.

Mr. POLLARD moved to reconsider the vote by which the amendment of the Senate to House bill No. 65 was disagreed to; which motion was rejected.

A message was received from the Senate by Mr. Blackstone, who informed the House that the Senate had passed Senate bill entitled an act to incorporate the Mutual live stock association of Accomac parish, No. 391; in which they respectfully request the concurrence of the House.

The following Senate bills were read a third time and passed:

No. 174. Senate bill entitled an act for the protection of deer in the counties of Shenandoah and Frederick.

No. 164. Senate bill entitled an act to amend and re-enact section 6 of chapter 323 of the Acts of the General Assembly of Virginia for 1887, and entitled an act to incorporate the Danville and Seaboard railroad company.

No. 187. Senate bill entitled an act to authorize the county court of Pittsylvania to inquire into the propriety of relieving the estate of Hartwell Farmer, deceased, from an amount of delinquent taxes erroneously paid by the administrator of said decedent—yeas 54; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Ash, Baskerville, Carter, Coleman, Crismond, Dabney, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Evans, Figgatt, Gordon, A. W. Harris, J. S. Harris, Hobson, Huffman, Hunter, Leggett, Martin, Mayo, McKee, McNeil, Montague, A. Moore, Jr., Morton, Mustain, Parr, Pedigo, Perkins, Phillips, Pollard, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Sanger, Sebrell, Simpson, Starke, Terrell, R. H. Tyler, Waddill, Webb, West, Wilkins, Williams, Wright and Young—54.

NAYS—Mr. Johnson—1.

No. 146. Senate bill entitled an act to incorporate the trustees of the Mu. Sig. Ma Rho library association, of Chesterfield county, Va.

No. 11. Senate bill entitled an act to amend and re-enact an act entitled an act to prescribe a fence law for Newport News election precinct, in the county of Warwick, approved May 2, 1887, and to add an additional section thereto.

No. 177. Senate bill entitled an act for the preservation of certain useful animals and fowls, and to prevent unlawful hunting in the county of Rockingham.

No. 109. Senate bill entitled an act to provide compensation to A. Theo. Powell for the prosecution of H. R. Puryear—yeas 53.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. D. W. Anderson, Ash, Baskerville, Bristow, Buford, Carter, Catlett, Coleman, Corbett, Crismond, Curtis, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Gordon, A. W. Harris, Hobson, Huffman, Hunter, Leggett, McCandlish, McKee, Montague, A. Moore, Jr., Morton, Mustain, Parr, Perkins, Phillips, Pollard, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Sebrell, Simpson, Starke, Terrell, Treat, R. H. Tyler, Webb, West, Wilkins, Williams and Young—53.

No. 76. Senate bill entitled an act granting the superintendent of any fair grounds or cemetery the same powers as a constable for certain purposes in such fair grounds or cemetery.

No. 185. Senate bill entitled an act to amend and re-enact sections 5 of chapter 9 of the charter of the city of Lynchburg.

No. 66. Senate bill entitled an act to amend and re-enact section 4 of chapter 331 of Acts of Assembly 1887, entitled an act to adopt and provide for the publication and distribution of the Code of Virginia for the preparation and publication of the explanatory notes of the revisors of the Code and for furnishing the revisors with an officer and sanitary—yeas 52; nays 2.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Ash, Buford, Carter, Coleman, Corbett, Crismond, Curtis, Dabney, Dupuy, Echols, Edmond-

son, Edwards, Elam, Evans, Ewell, Figgatt, A. W. Harris, Hay, Hunter, Johnson, Leggett, McCandlish, McClintic, Montague, A. Moore, Jr., Morton, Mustain, Parr, Pedigo, Perkins, Phillips, Pollard, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Ryan, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Webb, West, Williams and Wright—52.

NAYS—Messrs. Daingerfield and Young—2.

No. 60. Senate bill entitled an act for the relief of the sureties of James P. Critz, late treasurer of Patrick county, came up.

On motion of Mr. POLLARD, the bill was amended by striking out in 1st section "two years," and inserting "one year."

On motion of Mr. CATLETT, the bill was recommitted to the committee on finance.

No. 178. Senate bill entitled an act for the protection of deer in the counties of Page and Hanover, came up.

The amendments proposed by the committee on counties, cities and towns were agreed to.

The bill was ordered to its third reading.

The amendments being presently engrossed,

The bill was read a third time and passed.

Nos. 39 and 68. Senate bills, were, on motions severally made, passed by.

No. 264. Senate bill entitled an act to pay teachers in the public schools of Virginia without requiring average attendance, was, on motion of Mr. ANDERSON of *Rockbridge*, committed to the committee on schools and colleges.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had passed House bill entitled an act to regulate the construction of railroads through mountain passes and defiles, No. 288, with amendments; in which they respectfully request the concurrence of the House.

On motion of Mr. BUFORD, the calendar was postponed for one minute.

The SPEAKER laid the bill before the House.

The bill was placed on the calendar, the rule having been suspended on motion of Mr. BUFORD, requiring its reference to a committee.

A message was received from the Senate by Mr. Rhea, who informed the House that the Senate have passed House bill entitled an act to incorporate the New River Plateau railway company, No. 296, with an amendment; in which they respectfully request the concurrence of the House.

No. 378. Senate bill entitled an act to authorize the board of directors of the penitentiary of Virginia to restore the burnt building of that institution and to make appropriation for same, was, on motion of Mr. ECHOLS, taken up out of its order on the calendar.

On motion of Mr. ECHOLS, the bill was made a special continuing order for Monday next at half-past one o'clock P. M.

No. 61. Senate bill entitled an act to incorporate the town of Big Stone Gap in Wise county, was, on motion of Mr. WADDILL, taken up out of its order on the calendar.

The bill was read a third time and passed.

Motions severally made to reconsider the vote by which Senate bills Nos. 174, 164, 187, 109, 76, 185, 66, 178 and 61 were passed, were rejected.

The following House engrossed bills were on motions severally made taken up out of their order on the calendar and read a third time and passed:

No. 329. House bill to incorporate the Dismal Swamp hunting club, of Norfolk county.

No. 275. House bill entitled an act authorizing a special election to be held in Warren county to ascertain the sense of the voters upon the subject of the erection of certain bridges across the Shenandoah river, and to issue the bonds of the county to raise money therefor.

Motions severally made to reconsider the votes by which House engrossed bills Nos. 329 and 275 were passed, were rejected.

The following House bills were on motions severally made taken up out of their order on the calendar and read a second time and ordered to be engrossed to be read a third time:

No. 226. House bill to submit the question of increasing the levy for district school purposes, including lengthening of school term, to the qualified voters of Occoquan district, Prince William county.

No. 361. House bill to provide for additional terms of the circuit courts for the city of Norfolk, and authorizing the judge of said courts to enter decrees in chancery causes at chambers. (Amended.)

No. 364. House bill to incorporate the Petersburg, Ettrick and Matoaca railway company. (Amended.)

No. 366. House bill to allow the district school board of Buchanan district, Botetourt county, to purchase Blue Ridge hall, and for conveyance of same.

No. 367. Senate bill entitled an act authorizing the deputy treasurer of Caroline county to collect delinquent taxes, was, on motion of Mr. CARDWELL, taken up out of its order on the calendar.

Mr. CARDWELL offered an amendment in the nature of a substitute; which was agreed to.

The bill was ordered to its third reading.

The substitute being presently engrossed,

The bill was read a third time and passed.

On motion of M. CARDWELL, the title was amended so as to read as follows: "Authorizing the deputy treasurers of Caroline and Hanover counties to collect delinquent taxes."

Mr. CARDWELL moved to reconsider the vote by which the bill was passed; which motion was rejected.

Mr. CATLETT entered a motion to reconsider the vote by which No. 315, House engrossed bill to allow Chas. M. Shannon, Jas. V.

Richardson and N. J. Nelson, deputy treasurers for John W. Richardson, treasurer of Smyth county, to amend and add to their respective returns of delinquent taxes for years 1882, 1883 and 1884, was rejected.

No. 77. Senate bill entitled an act to amend and re-enact section 1 of chapter 39, Code of 1873, as amended by an act approved February 15, 1879, and to amend and re-enact section 2 of chapter 39, Code of 1873, in reference to the price paid for land warrants and the fees paid in the land office, came up.

Mr. MARTIN moved to amend the bill by striking out in 2d line of 1st section, as proposed to be amended, "twenty-five cents" and inserting "seventy-five cents."

Mr. FIGGATT moved the pending question; which was ordered.

On motion of Mr. HAY, the House adjourned until Monday next at eleven o'clock A. M.

MONDAY, FEBRUARY 20, 1888.

On motion of Mr. RYAN, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 18, 1888.

The Senate have passed Senate bills entitled an act to amend and re-enact section 10 of chapter 125 of an act to incorporate the West Norfolk and Carolina railroad company, approved May 2, 1887, No. 373; and an act to protect persons insuring property against loss by fire or other casualties, No. 98; in which bills they respectfully request the concurrence of the House of Delegates.

No. 373. Senate bill, was read twice and referred to the committee on roads and internal navigation.

No. 98. Senate bill, was read twice and referred to the committee on propositions and grievances.

No. 296. House bill entitled an act to incorporate the New River Plateau railway company, was referred to the committee on roads and internal navigation.

No. 391. Senate bill entitled an act to incorporate the Mutual live stock association of Accomac parish, was read twice and referred to the committee on propositions and grievances.

The following House bills, reported from the committee for courts of justice, were read a first time:

No. 418. A bill to prescribe what judges may practice law.

No. 419. A bill to amend section 2919 of revised Code of 1887, in relation to limitation of suits.

No. 420. A bill to provide for trial by jury in civil actions pending before a justice, and to increase the jurisdiction of a justice (with a recommendation that it do not pass).

Mr. ECHOLS, under a suspension of the rule, presented

No. 421. House bill to provide for the protection of fish in South river, within the county of Augusta, which was read a first time.

No. 67. Senate bill entitled an act authorizing O. D. Lewis to redeem certain lots in the town of West Point, Va., sold for delinquent taxes, was reported from the committee on finance.

No. 422. House bill to tax charters in certain cases, reported from the committee on finance, was read a first time.

No. 423. House bill to give the consent of the State of Virginia to the erection of an inn upon the lands of the United States at Fortress Monroe, reported from the committe on federal relations and resolutions, was read a first time.

Mr. JOHNSON offered the following resolution:

Whereas it is the policy of this State to give every legitimate means, encouragement and stimulus to the young which will enable and lead them to possess the advantages of an education; therefore,

Resolved, That the committee on schools and colleges be, and are hereby, instructed to inquire into the expediency of fixing by law a literary qualification as a prerequisite for persons under twenty-five years of age to obtain a marriage license, and if considered expedient report by bill or otherwise.

The House refused to refer the resolution to a committee.

On motion of Mr. LOVING, the resolution was amended by inserting after "law" the words, "For the county of Isle of Wight."

The resolution was disagreed to.

The SPEAKER laid before the House a communication as follows:

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
RICHMOND, February 18, 1888.

HON. R. H. CARDWELL,

Speaker of the House of Delegates:

Sir,—A resolution of your honorable body, adopted this day, is as follows:

"Resolved, That the auditor of public accounts be instructed to report to this House whether the law enacted at the last extra session requiring a license of persons engaged in the business of selling liquors by sample and imposing a tax for such privilege has been enforced, and, if not, why not?"

In response I have the honor to report that as soon as possible after the passage of the act referred to I caused to be printed, in pamphlet form, the tax laws embracing that act, and sent a copy to

every treasurer, commissioner of the revenue, commonwealth's attorney and clerk of a court in the State for their guidance. Since then no commissioner of the revenue has reported the issuing of a license to sell liquor by sample. Why none have been issued I am unable to say, but presume none have been applied for because of the decision of the supreme court of the United States relating to sample merchants, rendered in the case of Robbins *vs.* Shelby county taxing district. I am not aware, however, that anyone has sold liquor without a license.

Very respectfully,

MORTON MARYE,
Auditor of Public Accounts.

The following were presented and referred under Rule 37:

By Mr. SAUNDERS: A bill to relieve Levi Midkiff, surety of Tyler Midkiff. Referred to the committee on finance.

By Mr. HERBERT: A bill to encourage fire departments in the towns and cities of this commonwealth, and to levy an additional tax on fire insurance doing business in this State. Referred to the committee on finance.

By Mr. CORBETT: Joint resolution transferring a certain claim of the State of Virginia against the government of the United States to the Mount Vernon avenue association, chartered by this State. Referred to the committee on federal relations and resolutions.

By Mr. ANDERSON of *Rockbridge:* A bill to change the boundary lines between the counties of Rockbridge and Botetourt, south of James river, and to transfer a small portion of Botetourt to Rockbridge county. Referred to the committee on counties, cities and towns.

By Mr. FIGGATT: A bill to amend the charter of the Valley railroad company. Referred to the committee on roads and internal navigation.

The morning hour having expired, the House proceeded to the business on the calendar.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 346. House bill to exempt the property of the International committee of the young men's christian association, located at the University of Virginia, from taxation.

No. 261. House bill to provide for the collection of delinquent taxes on real estate due to the town of Farmville for the years 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884 and 1885.

No. 401. House bill to extend the time of settlement for Jno. C. Gray, treasurer of Washington county. (Amended.)

No. 260. House bill to allow Mrs. Mary J. Young to erect a wharf, platform, shed and other necessary buildings for conducting the business at Franklin City, Accomac county, Virginia, adjoining her land.

No. 171. House bill to amend section 26 of an act entitled an act to provide for working and keeping in repair the public roads of Botetourt.

No. 365. House bill to incorporate the Fauquier and Rappahannock railroad company.

No. 360. House bill authorizing the board of supervisors of Norfolk county, in their discretion, to pay over to the city collector of Norfolk city for the use of Brambleton ward, in said city, a portion of the taxes collected from citizens of said ward by the treasurer of Norfolk county for the year 1887, was read a second time.

Mr. MARTIN moved to recommit the bill; which was rejected—yeas 33; nays 36.

On motion of Mr. EDWARDS, the vote was recorded as follows:

YEAS—Messrs. Allensworth, Baskerville, John A. Browne, Corbett, Craft, Daingerfield, Elam, Evans, A. W. Harris, J. S. Harris, Herring, Loving, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, Mustain, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, Robinson, Sanger, Spencer, Tinsley, Webb, West, Wright and Young—33.

NAYS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Buford, Carter, Catlett, Counts, Crismond, Dabney, Edmondson, Edwards, Ewell, Figgatt, Flood, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Leggett, Magruder, A. Moore, Jr., J. E. Moore, Morton, Pollard, J. Roberts, Ryan, Sebrell, Silver, Simpson, Terrell, Watkins, Wilkins and Williams—36.

The bill was ordered to be engrossed to be read a third time—yeas 36; nays 25.

On motion of Mr. MARTIN the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Carter, Crismond, Curtis, Dabney, Edwards, Ewell, Figgatt, Flood, Hay, Hobson, Huffman, Hunter, Johnson, Leggett, Magruder, A. Moore, Jr., J. E. Moore, Mustain, Pollard, J. Roberts, Ryan, Sebrell, Silver, Simpson, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, Wilkins, Williams and Wright—36.

NAYS—Messrs. Corbett, Craft, Daingerfield, Elam, Evans, A. W. Harris, Herring, Martin, Mayo, McCandlish, McNeil, Montague, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, Robinson, Sanger, Spencer, Tinsley, Webb, West and Young—25.

No. 322. House bill to regulate and restrict liability to labor on public roads and to abolish imprisonment for breach of such liability, was read a second time.

The question being on ordering the bill to be engrossed was put and decided in the negative—yeas 23; nays 46.

On motion of Mr. McCANDLISH, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, John A. Browne, Corbett, Craft, Daingerfield, Elam, Evans, A. W. Harris, Herring, Martin, Mayo, McCandlish, McNeil, Montague, Pedigo, Perkins, Porter, Riner, E. L. Roberts, Sanger, Spencer, Tinsley, Treat and Young—23.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Catlett, Coleman, Counts, Dabney, Dickey, Echols, Edmondson, Ewell, Figgatt, Flood, Gordon, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Parr, Quesenberry, J. Roberts, Robinson, Ryan, Sebrell, Simpson, Terrell, Watkins, West, Wilkins, Williams and Wright—46.

The following Senate bills were read a third time and passed:

No. 328. Senate bill entitled an act to authorize the trustees of the Pisgah M. E. church, South, in the county of Tazewell, to sell and convey their church property.

No. 240. Senate bill entitled an act for the relief of Joseph B. Worth of erroneous license tax, was read a third time and passed—yeas 61; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. W. A. Anderson, Arnold, Ash, Baskerville, John A. Browne, Buford, Carter, Coleman, Counts, Craft, Crismond, Curtis, Daingerfield, Dickey, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Gordon, A. W. Harris, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Leggett, Loving, Martin, Mayo, McCandlish, McClintic, McKee, McNeil, J. E. Moore, Morton, Mustain, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Sebrell, Simpson, Spencer, Terrell, R. H. Tyler, Watkins, Webb, West, Williams and Young—61.

NAYS—Mr. Pollard—1.

No. 202. Senate bill entitled an act extending the time to James M. Booth, treasurer of Northumberland county, for the collection of certain taxes and levies.

No. 69. Senate bill entitled an act to release taxes due on the parsonage of the Methodist Episcopal church, South, in Gloucester county, was read a third time and passed—yeas 59; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baskerville, Buford, Carter, Catlett, Coleman, Corbett, Craft, Dabney, Daingerfield, Dickey, Echols, Edmondson, Elam, Evans, Figgatt, Flood, Gordon, A. W. Harris, J. S. Harris, Hobson, Huffman, Hunter, Johnson, Loving, Mayo, McNeil, Montague, A Moore, Jr., J. E. Moore, Morton, Mustain, Parr, Pedigo, Pollard, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Ryan, Silver, Spencer, Terrell, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright and Young—59.

NAYS—Mr. McKee—1.

No. 212. Joint resolution proposing an amendment to the 1st section of the 7th article of the Constitution of Virginia concerning county organizations and for publishing said amendment, and for certifying the same to the next General Assembly, was read a second time.

Mr. HARRIS of *Albemarle* moved to amend by inserting in the 7th line, 1st section, after the word "treasurer," where it appears in the second place, the following: "Who shall be inelligible to the same office for the term next succeeding that for which he was elected"; which was rejected.

The question being on ordering the joint resolution to be engrossed to be read a third time, was put and decided in the negative—yeas 15; nays 50.

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, Daingerfield, Echols, Edmondson, Flood, Hay, Huffman, Parr, Quesenberry, Lyon G. Tyler, R. H. Tyler, Watkins, Williams and Young—15.

NAYS—Messrs. W. A. Anderson, Arnold, Ash, Baskerville, Buford, Carter, Coleman, Craft, Dabney, Dickey, Edwards, Evans, Figgatt, Gordon, A. W. Harris, J. S. Harris, Herbert, Herring, Hunter, Johnson, Leggett, Loving, Martin, McCandlish, McClintic, McKee, McNeil, Montague, A. Moore, Jr., J. E. Moore, Mustain, Pedigo, Perkins, Pollard, Porter, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Sebrell, Silver, Simpson, Spencer, Terrell, Treat, Webb, West, Wilkins and Wright—50.

Mr. HARRIS of *Albemarle* moved to reconsider the vote by which the joint resolution was disagreed to.

Mr. ECHOLS moved to pass by the motion to reconsider; which was rejected.

The motion by Mr. HARRIS of *Albemarle* was rejected.

The hour of half-past one o'clock P. M. having arrived, special order,

No. 378. Senate bill entitled an act to authorize the board of directors of the penitentiary of Virginia to restore the burnt buildings of that institution and to make an appropriation for the same, came up.

The amendment proposed by the committee on finance, as follows:

Add at end of 1st section the following: "Provided that the entire cost of the building hereby authorized shall not exceed thirty thousand dollars."

—Was agreed to.

The amendment being presently engrossed,

The bill was read a third time and passed—yeas 63; nays 10.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, John A. Browne, Buford, Catlett, Coleman, Corbett, Craft, Crismond, Curtis, Dabney, Daingerfield, Dickey, Echols, Edmondson, Edwards, Evans,

Figgatt, Flood, Gordon, A. W. Harris, J. S. Harris, Hay, Hobson, Hunter, Johnson, Leggett, Loving, Magruder, Mayo, McClintic, McKee, A. Moore, Jr., J E. Moore, Morton, Mustain, Parr, Pedigo, Perkins, Pollard, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Ryan, Sanger, Saunders, Sebrell, Silver, Simpson, Terrell, R. H. Tyler, Webb, West, Wilkins, Williams, Wright and Young—63.

NAYS—Messrs. Baskerville, Carter, Elam, Herbert, Herring, Martin, McCandlish, Robinson, Spencer and Lyon G. Tyler—10.

Mr. POLLARD moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. ECHOLS carry the bill to the Senate and request the concurrence of the Senate in the amendment of the House.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate had agreed to the amendment of the House.

No. 288. House bill entitled an act to regulate the construction of railroads through mountain passes and defiles, came up.

The amendments of the Senate were agreed to.

Motions severally made by Mr. BUFORD to reconsider the votes by which the amendments were agreed to, were rejected.

No. 68. Senate bill entitled an act to amend and re-enact sections 3 and 4 of an act entitled an act appropriating the proceeds of the Glebe lands and other property belonging to the parishes of Abingdon, Ware and Petsworth, in the county of Gloucester, and for other purposes, passed January 25, 1814, was, on motion of Mr. POLLARD, postponed and made a special and continuing order for Wednesday next, at half-past one o'clock P. M.

Mr. SAUNDERS entered a motion to reconsider the vote by which the House disagreed to the third amendment of the Senate to the amendment of the House to Senate bill entitled an act to incorporate the Danville and Great Western railroad company, No. 20.

No. 77. Senate bill entitled an act to amend and re-enact section 1 of chapter 39, Code of 1873, as amended by an act and approved February 15, 1879, and to amend and re-enact section 2 of chapter 39, Code of 1873, in reference to the price paid for land warrants and the fees paid in the land office, came up.

The amendment offered by Mr. MARTIN to strike out "twenty-five cents" and insert "seventy-five cents," was agreed to.

The bill was ordered to its third reading.

The amendment being presently engrossed, the bill was read a third time and passed.

No. 125. Senate bill entitled an act for the relief of Hughes Dillard, Jr., from the payment of a fine, was read a third time and rejected—yeas 38; nays 19.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Arnold, Ash, John A. Browne, Coleman, Corbett, Craft, Dickey, Elam, Figgatt, Herbert, Herring, Hunter, Leggett, Loving, Mayo, McClintic, McNeil, Montague, A. Moore, Jr., Morton, Mustain,

Parr, Perkins, Quesenberry, E. L. Roberts, J. Roberts, Saunders, Sebrell, Simpson, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, Williams, Wright and Young—38.

NAYS—Messrs. Speaker, W. A. Anderson, Catlett, Dabney, Daingerfield, Edwards, Gordon, Hay, Hobson, Huffman, Johnson, McKee, Pedigo, Pollard, Porter, Riner, Webb, West and Wilkins—19.

Mr. PORTER entered a motion to reconsider the vote by which the bill was rejected.

No. 85. Senate bill entitled an act for the relief of A. J. Bishop from the payment of a fine, was read a third time and rejected—yeas 48; nays 19.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Arnold, Ash, Baskerville, John A. Browne, Buford, Carter, Coleman, Corbett, Counts, Craft, Curtis, Daingerfield, Dickey, Edmondson, Edwards, Elam, Evans, A. W. Harris, Herbert, Herring, Hunter, Leggett, Loving, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, Morton, Mustain, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, E. L. Roberts, Robinson, Sanger, Spencer, Terrell, Tinsley, Lyon G. Tyler, Watkins, Webb, Williams and Young—48.

NAYS—Messrs. Allensworth, D. W. Anderson, Catlett, Dabney, Flood, Gordon, Hay, Hobson, Huffman, Johnson, McKee, A. Moore, Jr., J. E. Moore, Pollard, Ryan, Silver, Simpson, Wilkins and Wright—19.

Senate joint resolution requesting our representatives and instructing our senators in Congress to secure the passage of an act assigning to the United States department of agriculture the control of a portion of the Arlington estate for the establishment of an agricultural experiment station, was read a third time and agreed to.

No. 52. Senate bill entitled an act to extend the charter and franchises of the Southern improvement company, came up.

The amendment proposed by the committee on propositions and grievances, as follows:

In section 2, lines 3, 4 and 5, strike out "works of internal improvements, and may also sell, lease or otherwise dispose of any works of internal improvement," and insert, "Railroads and tramways, and may also sell, lease or otherwise dispose of any railroads and tramways."

—Was agreed to.

The amendment being presently engrossed,

The bill was read a third time and passed.

The following Senate bills were read a third time and passed:

No. 121. Senate bill entitled an act to incorporate the Nelson manufacturing company.

No. 194. Senate bill entitled an act to incorporate the Bank of Richmond.

No. 204. Senate bill entitled an act to incorporate the Lynchburg Baptist seminary.

No. 221. Senate bill entitled an act to change the name of the Lynchburg agricultural and mechanical society.

No. 232. Senate bill entitled an act to amend and re-enact section 6 of an act, approved the 1st day of March, 1886, entitled an act to incorporate the Lynchburg building and loan company.

No. 253. Senate bill entitled an act to incorporate the Game Point association.

No. 262. Senate bill entitled an act to provide for a new registration of voters in the county of Alexandria.

No. 263. Senate bill entitled an act to provide for a new registration of voters in the city of Alexandria.

No. 273. Senate bill entitled an act to incorporate the Alexandria gentlemen's driving club.

No. 307. Senate bill entitled an act to incorporate the Oakwood Hebrew cemetery association.

No. 310. Senate bill entitled an act to incorporate the Mount Vernon fire insurance company of Alexandria, Virginia.

No. 321. Senate bill entitled an act to amend the charter of the city of Richmond by adding additional sections to chapter 4, concerning city officers, so as to provide for the appointment of a board of public interests.

No. 139. Senate bill entitled an act to incorporate the Owl club, No. 1, of Norfolk, Va.

No. 202. Senate bill entitled an act extending the time to James M. Booth, treasurer of Northumberland county, for the collection of certain taxes and levies.

No. 326. Senate bill entitled an act to prevent the granting of unappropriated marsh or meadow lands on the Eastern Shore of Virginia.

No. 292. Senate bill entitled an act to incorporate the Bessemer steel and iron company.

No. 188. Senate bill entitled an act for working and keeping in repair the roads in Tazewell county.

No. 229. Senate bill entitled an act to amend and re-enact sections 2 and 3 of an act to empower the board of supervisors of Bath county to repair a part of the Warm Springs and Huntersville turnpike road, and to borrow money therefor, approved December 1, 1884.

No. 329. Senate bill entitled an act to prescribe the time for killing partridges in the county of Accomac, came up.

On motions severally made the bill was amended by inserting Northampton, Clarke, Smyth, Franklin, Bedford, Amherst and Washington.

The bill was ordered to its third reading.

Motions severally made to reconsider the votes by which Senate bills Nos. 328, 240, 69, 121, 262, 263, 204, 194, 221, 232, 253, 273, 307, 310 and 321 were passed, were rejected.

On motion of Mr. HAY, the House adjourned until to-morrow at eleven o'clock A. M.

TUESDAY, FEBRUARY 21, 1888.

On motion of Mr. HUFFMAN, the reading of the Journal was dispensed with.

Communications from the Senate, by their clerk, were read as follows:

In Senate, February 20, 1888.

The Senate have agreed to the amendments proposed by the House of Delegates to Senate bill entitled an act authorizing the deputy treasurer of Caroline county to collect delinquent taxes, No. 367.

They have passed House bill entitled an act for the relief of E. L. Costin, late treasurer of Northampton county, No. 168.

They have passed Senate bills entitled an act for the relief of John H. Sears, late treasurer of Mathews county, No. 157; an act to appropriate money to erect additional buildings at the Southwestern lunatic asylum, No. 220; an act providing for the disbursement of money appropriated to educational and eleemosynary institutions, No. 265; an act to incorporate the Big Stone Gap banking company, No. 312; an act to incorporate the Hunter's Valley railroad company, No. 323; an act to amend and re-enact section 6 of chapter 72 of the Acts of the extra session of 1887, entitled an act to amend and re-enact an act approved March 3, 1886, entitled an act to amend and re-enact an act entitled an act to incorporate the town of Martinsville, in the county of Henry, and to add an independent section thereto, No. 345; an act to extend the time for the collection of tax-tickets in the hands of J. B. Flippin, late treasurer of Cumberland county, No. 347; an act to amend and re-enact section 6 of an act entitled an act to provide for the assessment of taxes on persons, property and incomes, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and to provide for the mode of applying for licenses to transact any business in this State, and prescribing the amount to be paid as a condition precedent to the right to transact such business, approved March 15, 1884, respecting the assessment of vessels and water crafts, No. 215; an act to amend and re-enact section 904, chapter 39, Code of 1887, in relation to distress and levy, No. 266; an act to make Jackson's river, in the county of Alleghany, a lawful fence between certain points, No. 392; an act for the relief of J. J. Heuritze, late treasurer of Russell county, and his sureties, No. 386; an act declaring the James river the main track of the Richmond and Alleghany railroad and the boundary lines of the farms within certain limits in the county of Amherst a lawful fence, No. 364; an act for the relief of James A. Tilman, late treasurer of Powhatan county, No. 363; an act to incorporate the Sun mutual aid association, No. 394; an act to provide for a new registration in the county of Loudoun, No. 420; an act to authorize the trustees of the Christian church at Chatham, Va., to borrow money to complete

their church, No. 433; an act to change the name of Iron belt, land, mining and development company of Virginia to the Virginia company, No. 145; an act to release F. D. Hill from the delinquent taxes erroneously assessed against him on six lots in the plan of Arlington, in Henrico county, No. 296; an act to incorporate Big Stone Gap water company, No. 213; an act to incorporate the Seaboard water company, No. 212; an act to secure protection to the cemetery and property of the New erection memorial association in the county of Rockingham, Va., No. 246; and an act to prevent annual examinations of applicants for license to teach in the public free schools when such applicants have once passed the examination, No. 255.

And they have passed, with a substitute, House bill entitled an act to incorporate the Virginia safety deposit and trust company, of Richmond, No. 52.

In which bills and substitute they respectfully request the concurrence of the House of Delegates.

In Senate, February 20, 1888.

The Senate have passed House bill entitled an act to authorize R. H. Atkinson to erect a pier or wharf on his oyster grounds on Chuckatuck creek, No. 295.

They have agreed to the amendments proposed by the committee to Senate bill entitled an act for the protection of deer in the counties of Page and Hanover, No. 178.

And they have passed, with a substitute therefor, House bill entitled an act to provide for a new registration in the city of Staunton, No. 140; in which substitute they respectfully request the concurrence of the House of Delegates.

Nos. 52 and 140. House bills, were placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

Nos. 394, 363, 265, 392, 145, 212, 420 and 246. Senate bills, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

The following Senate bills were read twice and referred to committees as follows:

Nos. 386, 215, 296, 220, 347 and 157, to the committee on finance.

Nos. 266 and 433, to the committee for courts of justice.

Nos. 345 and 364, to the committee on counties, cities and towns.

No. 255, to the committee on schools and colleges.

No. 213, to the committee on propositions and grievances.

No. 323, to the committee on roads and internal navigation.

No. 312, to the committee on banks, currency and commerce.

No. 182. Senate bill entitled an act to grant the right and privilege for a period of twenty years of occupancy of certain flats and

water fronts on James river, upon certain conditions, was reported from the committee on Chesapeake and its tributaries.

No. 300. Senate bill entitled an act to amend and re-enact section 10 of an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal chapter 185 of the Acts of Assembly of 1879–'80, was reported from the committee on printing.

No. 327. Senate bill entitled an act to incorporate the Virginia underground electrical conduit company, was reported from the committee on propositions and grievances.

No. 119. Senate bill entitled an act to authorize the Elizabeth park and land company to construct a toll-bridge across Broad creek, between the counties of Norfolk and Princess Anne, was reported from the committee on counties, cities and towns.

No. 380. Senate bill entitled an act to allow W. G. Miller, treasurer of Rappahannock county, and his sureties twelve months to collect any uncollected tax-tickets in their hands and not returned delinquent for 1882, 1883, 1884, 1885 and 1886, was reported from the committee on finance.

The following were presented and referred under Rule 37:

By Mr. WRIGHT: A bill to increase the district levy for free school purposes in the county of Pittsylvania on certain conditions. Referred to the committee on schools and colleges.

By Mr. HUNTER: A bill to amend and re-enact section 1493 chapter 66, new Code of Virginia, in relation to sending children in the country to free schools of the city. Referred to the committee on schools and colleges.

By Mr. SPENCER: A bill for the relief of Mrs. B. W. Kitchen. Referred to the committee on finance.

By Mr. SPENCER: A bill for the relief of B. W. L. Kitchen. Referred to the committee on finance.

By Mr. WILLIAMS: A bill for the relief of Frank Howl from the payment of a fine. Referred to the committee on finance.

By Mr. MUSTAIN: A bill to amend section 1 of an act entitled an act to authorize the mayor and common council of the town of Chatham, in the county of Pittsylvania, to borrow money, approved the 18th of January, 1888. Referred to the committee on counties, cities and towns.

By Mr. COLEMAN: Petition of citizens of Danville and North Danville in favor of Senate bill amending the mechanics' lien law. Referred to the committee for courts of justice.

No. 424. House bill to incorporate the New Dominion company, reported from the committee on propositions and grievances, was read a first time.

No. 425. House bill to prohibit the several cities and towns of the commonwealth from imposing and collecting any tax, fine or other

penalty upon persons selling their own farm and domestic products within the limits of any such town or city, outside of and from under the regular market-houses and sheds of such towns and cities, reported from the committee on counties, cities and towns (with a recommendation that it do not pass), was read a first time.

No. 426. House bill to incorporate the Botetourt bank, reported from the committee on banks, currency and commerce, was read a first time.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 427. House bill to amend aud re-enact an act approved March 3d, 1886, entitled an act to authorize the voters of Pittsylvania county to vote for or against the repeal of the present fence law by magisterial districts.

No. 428. House bill to allow the citizens of Prince William county to vote on the question of the removal of the courthouse from Brentsville to Manassas, and to enable the corporation of Manassas to issue bonds for erection of public buildings in case removal to said corporation be agreed to by majority of voters of Prince William, with amendments.

No. 429. House bill to authorize certain counties to exempt for a term of years from county taxation the property of the Virginia Western railroad company therein.

No. 430. House bill to amend and re-enact section 3 of an act entitled an act to incorporate the Shenandoah Valley railroad company and to issue preferred stock or convertible under any plan of reorganization thereof, approved May 2, 1887, reported from the committee on roads and internal navigation, was read a first time.

Mr. HAY, under a suspension of the rule, presented

No. 431. House bill to provide for a new registration of voters in the town of Harrisonburg, which was read a first time.

Mr. PEDIGO, under a suspension of the rule, presented

No. 432. House joint resolution relating to the employment of convict labor in the Virginia penitentiary, which was read a first time.

Mr. MAGRUDER, under a suspension of the rule, presented

No. 433. House bill to incorporate the Rosenberger and Shirley telephone company, which was read a first time.

The committee on enrolled bills report that the governor has approved the following bills:

An act to incorporate the Bristol and Danville railroad company.

An act for the relief of J. R. Moss, administrator of W. A. Moss, late treasurer of the county of Buckingham.

An act to incorporate the Danville and East Tennessee railroad company.

An act to incorporate the Mecklenburg toll-bridge company.

An act to authorize the mayor and common council of the town of Liberty to borrow for said corporation a sum of money not ex-

ceeding $20,000 for the purpose of completing or making permanent improvements.

An act to authorize the board of supervisors of Buckingham, Prince George and Surry counties to let to contract the public roads and levy a tax to keep the same in order.

An act to incorporate the Mount Vernon avenue association.

An act to incorporate the Pocahontas towing and transportation company.

An act to incorporate the Suburban and Exposition railway company.

An act to incorporate the Lynchburg cotton-mill and improvement company.

An act to amend the following acts: An act to incorporate the town of Rocky Mount, approved February 17, 1873; an act to amend the act of February 17, 1873, approved April 28, 1874, and an act amending and re-enacting section 2 of the act approved April 28, 1874, approved March 4, 1884.

An act to incorporate the town of Mount Jackson, in the county of Shenandoah.

An act for the relief of Mrs. Maria Simpson Throgmorton, of Henrico county, of taxes improperly paid by her.

An act to amend an act approved February 19, 1886, to incorporate the Mineral Springs railroad company.

An act to allow R. B. Stoner, late treasurer of Botetourt county, further time to make settlement and to return delinquents and to collect tax-tickets.

An act to amend and re-enact the charter of the South Atlantic and Ohio railroad company and to legalize subscriptions and contracts and all corporate acts which the said company may have performed since the 1st day of December, 1887.

An act to provide for a reassessment of the lands in Brambleton ward, in the city of Norfolk.

An act to incorporate the Tazewell female seminary.

An act to incorporate the Young men's christian association of Portsmouth, Va.

An act to incorporate the North Amherst railroad company.

An act extending the time to Thomas Waller, late treasurer of Stafford county, for the collection and settlement of certain taxes and levies.

An act to amend and re-enact an act, approved May 6, 1887, entitled an act to incorporate the Mineral railroad company and to change the name to that of the Alexandria and Charleston railroad company.

An act to relieve the Baltimore, Cincinnati and Western railroad company from any forfeiture which may have accrued from failure to commence and complete its road within the time limited in its act of incorporation, and to reinvest the said company with all the powers, privileges and franchises granted by said act, approved

March 8, 1880, entitled an act to incorporate the Baltimore, Cincinnati and Western railway company and for other purposes.

The SPEAKER laid before the House a telegram from E. E. Downham, mayor of Alexandria city, inviting the members of the House to be present in Alexandria on the 22nd inst. to participate in celebrating Washington's birthday.

The morning hour having expired, the House proceeded to the business on the calendar.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 214. House bill to amend and re-enact section 3657 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

No. 286. House bill to incorporate the Greenleaf Johnson lumber company.

No. 389. House bill to repeal chapter 149 of the Acts of the extra session of 1884, entitled an act for the protection of fish in Bock Creek bay, in Princess Anne county, Virginia, approved November 27, 1884.

No. 238. House bill to amend Acts of Assembly, 1885–'6, page 236, in regard to amount of treasurer's bond for city of Lynchburg.

No. 339. House bill to incorporate the Lambert's Point turnpike company.

No. 359. House bill to incorporate the town of Windsor, in the county of Isle of Wight. (Amended.)

No. 347. House bill to amend sections 2 and 3 of Fauquier telephone company.

No. 376. House bill to incorporate the Dinwiddie granite company.

No. 328. House bill to consolidate the Brighthope railway company with the Farmville and Powhatan railroad company.

No. 419. House bill to amend section 2919 of revised Code of 1887, in relation to limitation of suits.

No. 151. House bill to amend and re-enact sections 1165 and 1166 of chapter 48, Code of Virginia, 1887, prescribing qualifications of bank directors. (Amended.)

No. 373. House bill to amend and re-enact chapter 192 of the Acts of 1885–'86, entitled an act to incorporate the town of Pulaski City, in the county of Pulaski.

No. 205. House bill to incorporate the Cohoke association.

House bills Nos. 376, 328, 214, 238, 339, 419, 286, 151, 373 and 205 being presently engrossed, were, on motions severally made, read a third time this day (two-thirds in the House so determining, respectively) and passed.

Motions severally made to reconsider the votes by which House bills Nos. 376, 328, 214, 238, 339, 419, 286, 151, 373 and 205 were passed, were rejected.

No. 311. House bill for the relief of John A. Shackelford of Stafford county Va., was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. MONTAGUE moved that it be read a third time this day, which was agreed to (two-thirds in the House so determining).

The bill waa read a third time and passed—yeas 71.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crismond, Daingerfield, Dickey, Echols, Edwards, Elam, Evans, Figgatt, Gordon, A. W. Harris, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, McClintic, McKee, Montague, A. Moore, Jr., J. E. Moore, Morton, Mustain, Parr, Pedigo, Perkins, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Sebrell, Simpson, Spencer, Starke, Terrell, Tinsley, R. H. Tyler, Watkins, Webb, West, Williams, Wright and Young—71.

Mr. MONTAGUE moved to reconsider the vote by which the bill was passed; which motion was rejected.

Nos. 18 and 21 (embraced in one). Senate bill entitled an act to incorporate the Hampton and Old Point railway company, came up.

The amendments proposed by the committee on roads and internal navigation were agreed to.

The amendments being presently engrossed,

The bill was read a third time and passed.

Mr. STARKE moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 277. House bill to prohibit county and circuit court clerks from practicing law in the courts of their counties, was, on motion of Mr. CATLETT, passed by—yeas 44; nays 29.

On motion of Mr. TREAT, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Catlett, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, J. S. Harris, Hay, Herbert, Hobson, Hunter, Kincheloe, Leggett, Loving, Magruder, McKee, J. E. Moore, Morton, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Lyon G. Tyler, Watkins, West, Wilkins, Williams and Wright—44.

NAYS—Messrs. Ash, Baskerville, Bristow, Carter, Corbett, Craft, Daingerfield, Dickey, Elam, Herring, Jones, Martin, McCandlish, McClintic, McNeil, Montague, Parr, Pedigo, Perkins, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Treat, Webb and Young—29.

The following Senate bills were read a third time and passed:

No. 118. Senate bill entitled an act to amend and re-enact section 8 of the act, approved March 3, 1884, entitled an act to incorporate the Pittsburg and Virginia railroad company.

No. 333. Senate bill entitled an act to authorize the supervisors of Amherst county to issue bonds for the purpose of retiring outstanding bonds.

No. 414. Senate bill entitled an act to amend and re-enact sections 3 and 6 of an act entitled an act to incorporate the Martinsburg and Potomac railroad company, approved July 9, 1870.

No. 294. Senate bill entitled an act to authorize a loan of muskets to the Locust Dale male academy.

Motions severally made by which Senate bills Nos. 118, 333, 414 and 294 were passed, were rejected.

The following House engrossed bills were read a third time and passed:

No. 260. House engrossed bill to allow Mrs. Mary J. Young to erect a wharf, platform, shed and other necessary buildings for conducting the business at Franklin City, Accomac county, Virginia, adjoining her land.

No. 364. House engrossed bill to incorporate the Petersburg, Ettrick and Matoaca railway company.

No. 251. House engrossed bill to authorize county subscriptions to the capital stock of the Charleston, Cincinnati and Chicago railroad company.

Motions severally made to reconsider the votes by which House engrossed bills Nos. 260, 364 and 251 were passed, were rejected.

Ordered, That Mr. MCCANDLISH carry House bill No. 364 to the Senate and request their concurrence.

No. 294. House bill to amend and re-enact section 48 of an act entitled an act to amend and re-enact section 48 of an act to amend and re-enact sections 13 and 48 of an act entitled an act for the dreservation of oysters and to obtain a revenue for the privilege of taking them from the waters of the commonwealth, approved November 26, 1884, as amended by chapter 26, section 48 of the Acts of 1887, approved March 30, 1887, was, on motion of Mr. BRISTOW, postponed and made a special continuing order for Friday next, at half-past one o'clock P. M.

The hour of one o'clock P. M. having arrived, special order,

No. 162. House bill to amend and re-enact sections 3345 and 3346 of the act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887 (in relation to the testimony of husband and wife), was read a second time.

Mr. HAY moved to amend the bill by adding at end of 1st section the following: "Provided that no admissions nor communications made by husband and wife to each other shall be given in evidence"; which was rejected.

The question being on ordering the bill to be engrossed to be read a third time, was put and decided in the negative—yeas 10; nays 69.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Catlett, Echols, Figgatt, J. S. Harris, Hay, Loving, Morton, Scott, Spencer and West—10.

NAYS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, John A. Browne, Buford, Carter, Coleman, Counts, Craft, Crawford, Crismond, Dabney, Daingerfield, Dickey, Dupuy, Edmondson, Edwards, Elam, Evans, Flood, Gordon, A. W. Harris, Herring, Hobson, Huffman, Hunter, Jones, Johnson, Kincheloe, Martin, Magruder Mayo, McCandlish, McKee, McNeil, Montague, A. Moore, Jr., J. E. Moore, Mustain, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Sebrell, Simpson, Terrell, Tinsley, Treat, R. H. Tyler, Waddill, Watkins, Webb, Wilkins, Williams and Wright—69.

No. 163. House bill to allow husband and wife to testify in behalf of each other in criminal cases, was, on motion of Mr. HAY, dismissed.

A message was received from the Senate by Mr. Williams, who informed the House that the Senate had refused to recede from its amendment to No. 65, House bill entitled an act to provide for the payment of justices of the peace, witnesses and physicians in certain cases, and had agreed to a resolution as follows:

Resolved (the House of Delegates concurring), That a joint committee consisting of three on the part of the Senate and three on the part of the House of Delegates be appointed to consider the disagreeing votes of the two Houses on House bill No. 65, entitled an act to provide for the payment of justices of the peace, witnesses and physicians in certain cases.

—In which they respectfully request the concurrence of the House.

The resolution of the Senate was agreed to.

Mr. HAY moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. HAY inform the Senate that the House had agreed to the resolution.

The SPEAKER appointed Messrs. WATKINS, MORTON and WADDILL the committee on the part of the House.

Mr. SAUNDERS withdrew the motion entered by himself to reconsider the vote by which the House disagreed to the third amendment of the Senate to the amendment of the House to Senate bill entitled an act to incorporate the Danville and Great Western railroad company, No. 20.

Mr. DABNEY offered a resolution as follows:

Resolved, That a joint committee consisting of three on the part of the House and two on the part of the Senate, be appointed to consider the disagreeing votes of the two houses on House amendment to Senate bill No. 20, entitled an act to incorporate the Danville and Great Western railroad company.

—Which was agreed to.

Mr. DABNEY moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. DABNEY inform the Senate that the House had disagreed to the third amendment of the Senate to the amendment of the House and respectfully request the concurrence of the Senate.

A message was received from the Senate by Mr. Jones, who informed the House that the Senate had agreed to the resolution of the House with an amendment; in which they respectfully request the concurrence of the House.

The amendment of the Senate as follows: Strike out "two" on the part of the Senate and insert "three" on the part of the Senate; was agreed to.

Mr. DABNEY moved to reconsider the vote by which the amendment of the Senate was agreed to; which motion was rejected.

Ordered, That Mr. DABNEY inform the Senate that the House had agreed to the amendment of the Senate.

The SPEAKER appointed Messrs. DABNEY, BUFORD and MARTIN the committee on the part of the House.

The motion entered by Mr. PORTER to reconsider the vote by which No. 125, Senate bill entitled an act for the relief of Hughes Dillard, Jr., from the payment of a fine, was agreed to.

The question recurring on the passage of the bill was read a third time and passed—yeas 62; nays 12.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Craft, Crawford, Daingerfield, Dickey, Echols, Edwards, Elam, Evans, Herbert, Herring, Hunter, Jones, Kincheloe, Leggett, Loving, Martin, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, A. Moore, Jr., Mustain, Parr, Pedigo, Perkins, Pilcher, Porter, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Spencer, Starke, Terrell, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins, Williams, Wright and Young—62.

NAYS—Messrs. W. A. Anderson, Figgatt, Flood, Gordon, Hay, Huffman, Johnson, Magruder, Ryan, Silver, Simpson and Treat—12.

Mr. MCKEE moved to reconsider the vote by which No. 85, Senate bill entitled an act for the relief of A. J. Bishop from the payment of a fine was rejected; which motion was agreed to.

The question recurring on the passage of the bill, was put and decided in the affirmative—yeas 58; nays 9.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, Ash, Baskerville, Bristow, John A. Browne, Buford, Carter, Coleman, Corbett, Counts, Craft, Crawford, Daingerfield, Dickey, Edmondson, Edwards, Elam, Evans, A. W. Harris, Herring, Hobson, Hunter, Jones, Leggett, Martin, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, A. Moore, Jr., Morton, Mustain, Parr, Pedigo, Perkins, Pilcher, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Sebrell, Simpson, Spencer, Terrell, Tinsley, R. H. Tyler, Waddill, Webb, West, Williams, Wright and Young—58.

NAYS—Messrs. D. W. Anderson, W. A. Anderson, Catlett, Flood, Gordon Hay, Huffman, Johnson and Treat—9.

No. 52. House bill entitled an act to incorporate the Virginia safety deposit and trust company of Richmond, came up.

The substitute proposed by the Senate was agreed to.

Mr. BUFORD moved to reconsider the vote by which the substitute of the Senate was agreed to; which motion was rejected.

No. 140. House bill entitled an act to provide for a new registration in the city of Staunton, came up.

The substitute of the Senate was agreed to.

Mr. RYAN moved to reconsider the vote by which the substitute of the Senate was agreed to; which motion was rejected.

No. 39. Senate bill entitled an act to incorporate the Copperhouk Springs company, came up.

The amendments proposed by the committee on propositions and grievances were agreed to.

The amendments being presently engrossed, the bill was read a third time and passed.

Mr. ROBERTS of *Washington* moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 329. Senate bill entitled an act to prescribe the time for killing partridges in the county of Accomac, was read a third time.

On motion of Mr. WILKINS, the title was amended by adding, "And certain other counties."

Mr. WILKINS moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 44. Senate bill entitled an act to authorize the circuit and corporation courts of this commonwealth to render judgments against receivers and commissioners and purchasers at judicial sales and their sureties in certain cases, came up.

The amendments proposed by the committee for courts of justice were agreed to.

The amendments being presently engrossed, the bill was read a third time and passed.

Mr. HAY moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 89. Senate bill entitled an act to amend and re-enact section 10 of an act in force February 23, 1882, entitled an act to incorporate the Virginia and Carolina railroad company, amended by an act approved March 6, 1886, was read a third time and passed.

Mr. MAYO moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 65. Senate bill entitled an act to remove the political disabilities of Daniel P. Curtis, was read a third time and passed, two-thirds voting in the affirmative.

Mr. RYAN moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 228. Senate bill entitled an act to provide for submitting to the qualified voters of the State the question of a constitutional convention, came up.

On motion of Mr. MAYO, the bill was amended by striking out, in lines 5, 6 and 7, the words, "And shall determine and certify whether a majority of the whole number of votes cast was for or against a constitutional convention," and inserting in lieu thereof the follow-

ing: "And they shall also examine all the certified abstracts of returns of votes cast at said general election, and shall determine and certify the number of electors voting at said general election for any purpose, and whether a majority of the same were in favor of a constitutional convention."

The bill was ordered to its third reading.

The amendment being presently engrossed, the bill was read a third time and passed.

Mr. HAY moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 319. Senate bill entitled an act to provide for working and altering roads, and building and repairing bridges in the county of Mecklenburg, came up.

On motion of Mr. BASKERVILLE, the bill was amended by striking out in 18th line of 7th section, "One dollar," and inserting, "Eighty-five cents."

On motion of Mr. FLOOD, the House adjourned until to-morrow at eleven o'clock A. M.

WEDNESDAY, FEBRUARY 22, 1888.

Prayer by Rev. Dr. C. H. Read, of the Presbyterian church.

On motion of Mr. TREAT, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 21, 1888.

The Senate have passed Senate bills entitled an act for the relief of D. C. Mallory, treasurer of Grayson county, No. 104; an act to authorize the sale of certain real estate now held by the county school board of King and Queen county, and to provide for the investment of the proceeds of sale, No. 230; an act to authorize the Petersburg railroad company to lease its road, No. 289; an act for the relief of John R. Franklin, late treasurer of Appomattox county, No. 301; an act to amend and re-enact section 1 of an act, approved March 10, 1884, entitled an act to amend and re-enact section 1 of an act, approved April 14, 1882, entitled an act to amend and re-enact an act, passed March 3, 1880, entitled an act to amend and re-enact an act, passed April 2, 1879, authorizing the board of supervisors to determine what amount shall be paid to certain county officers, No. 314; an act to relieve Fannie E. Harvie of taxes erroneously charged, No. 339; an act making an appropriation for the hire of labor on the Capitol square and to prevent convict labor thereon, No. 349; an act to amend and re-enact sections 1 and 10 of an act entitled an act to incorporate the Surry and

Smithfield railroad company, approved March 6, 1886, No. 354; an act to incorporate the Old Dominion boom and log company, No. 360; an act to incorporate the Portsmouth and South Mills railway company, No. 384; an act to amend and re-enact sections 1 and 3 of chapter 321, Extra Session Acts, 1887, approved May 20, 1887, entitled an act to prescribe the times for holding the courts of the Second, Sixteenth and Seventeenth judicial circuits, No. 389; an act to amend and re-enact section 3 of an act entitled an act to incorporate the Tazewell coal and iron company, approved April 27, 1887, No. 395; an act authorizing and empowering the council of the city of Norfolk to issue bonds for the purpose of erecting a city market-house, No. 403; an act to amend an act to authorize the city of Fredericksburg and certain districts in Stafford and King George counties to purchase or lease Scott's bridge and make the same a free bridge, No. 405; an act to authorize the supervisors of Dinwiddie county to increase their levy for school purposes, No. 407; an act to prescribe the manner by which any internal improvement company may elect a part of its board of directors for a period of more than one year, No. 417; an act to incorporate the Ivanwold hotel and ferry company, No. 424; an act to extend the time in which W. W. Kincheloe, county treasurer of Prince William county, shall be authorized to collect taxes, No. 428; an act to authorize conveyances by the county of Frederick and the city of Winchester to each other of certain rights in the public square, situated in Winchester, No. 431; an act for the protection of game in the county of King William, No. 434; an act to relieve the sureties of A. F. Creel, No. 437; an act to authorize the trustees of Diamond Hill Baptist church of Lynchburg to borrow money and secure the same by deed of trust, No. 438; and an act to incorporate the Big Stone Gap mining, transportation and development company, No. 439; in which bills they respectfully request the concurrence of the House of Delegates.

The following Senate bills were read twice and referred to committees, as follows:

Nos. 437, 104, 301, 339 and 428, to the committee on finance.

Nos. 289, 354 and 417, to the committee on roads and internal navigation.

No. 407, to the committee on schools and colleges.

The following Senate bills were read twice, and, on motions severally made, placed on the calendar:

Nos. 439, 438, 434, 431, 424, 389, 384, 360, 349, 230, 395, 314, 405 and 403.

No. 60. Senate bill entitled an act for the relief of the sureties of James P. Critz, late treasurer of Patrick county, with amendments, was reported from the committee on finance.

No. 53. Senate bill entitled an act to establish a normal school at William and Mary college, in connection with its collegiate course, was reported from the committee on schools and colleges.

The following House bills, reported from the committee on finance, were read a first time:

No. 434. House bill to relieve Levi Midkiff, surety of Tyler Midkiff.

No. 435. House bill to relieve Andrew Rodgers from the payment of a license tax for peddling in the county of Pulaski.

No. 244. House bill appropriating the public revenues for the fiscal years 1888 and 1889, heretofore recommitted to the committee on finance, was reported back.

The following House bills, reported from the committee on counties, cities and towns, were read a first time:

No. 436. House bill to amend section 1 of an act entitled an act to authorize the mayor and common council of the town of Chatham, in the county of Pittsylvania, to borrow money, approved 18th January, 1888.

No. 437. House bill to change the boundary lines between the counties of Rockbridge and Botetourt south of James river, and to transfer a small portion of Botetourt to Rockbridge county.

No. 438. House bill to allow the voters of Dranesville district, Fairfax county, to vote on the question of continuing or repealing the present fence law.

No. 439. House bill to define and extend the powers of the council of the city of Portsmouth.

The following House bills, placed on the calendar on motions severally made, were read a first time:

No. 440. House bill to amend and re-enact sections 1, 5, 6 and 8 of an act to incorporate the town of Abingdon, passed March 16, 1871, as amended and re-enacted by acts passed April 2, 1877, and March 4, 1884.

No. 441. House bill to amend and re-enact an act approved March 6, 1886, entitled an act to provide the manner in which the common council of the city of Petersburg may purchase the Virginia and Carolina railroad to the extent of the claim of said city against said road, or sell or dispose of the claim of said city against said road.

No. 442. House bill to amend and re-enact section 2983 of the Code of 1887, in relation to appeals from magistrates.

No. 443. House bill to incorporate the Free bridge company.

No. 444. House bill to incorporate the Northwest and Southeast railroad company.

The SPEAKER laid before the House a communication from the revisors of the Code, as follows:

OFFICE OF REVISORS,
RICHMOND, February 22, 1888.

To the General Assembly of Virginia:

By act of 21st of May, 1887 (Acts Extra Session, 1887, p. 425, ch. 331, §§ 1, 2), the Code of Virginia, which, in the form of a bill,

had passed both houses of the Assembly, and was approved by the governor on the 16th day of May, 1887, was directed to be published, together with the Declaration of Independence, the Constitution of the United States and the amendments thereto, and the Constitution of Virginia as amended, with a suitable index; the publication to be under the immediate superintendence of the revisors, who were also required to "prefix to each chapter a table, stating briefly the subject of each section, insert or omit such captions to sections, make such references and notes as may seem to them fit, prepare the index and examine the proof-sheets."

All of this work has been finished except the printing, which, we hope, will be completed during the next week, and the volumes at once turned over to the binders, to be bound and distributed as the act directs. The contracts with the binders, as we have been informed by the late superintendent of public printing, with whom the contracts were made, require the delivery of one thousand volumes per week, the whole number being eight thousand.

The 7th section of the act also provides that "the revisors of the Code shall, as soon as practicable after the publication of the Code hereinbefore provided for, prepare and deliver to the superintendent of public printing, for publication, in conformity with the requirements of the law in regard to public printing, such notes as they may deem useful in explanation of the changes made in the law by the Code. The notes shall be printed and bound in a volume as the Acts of the General Assembly are required by law to be printed and bound, and the said revisors shall superintend the publication thereof."

This work remains to be done. The "Notes" contemplated would be very useful, we think, as aids in the interpretation of the Code, but they are not indispensable. To be useful, however, the greatest care should be taken in their preparation—not less than was required in the revision itself. Otherwise, they might be misleading and injurious. To prepare this volume and superintend the publication would consume much time—not less, perhaps, than a year—it might take a longer time—and would require much labor and involve considerable expense to ourselves. None of these "Notes" have been prepared, and in their preparation a careful re-examination of every part of the Code would be necessary.

If this work is to be done, we deem it due to the General Assembly as well as to ourselves to say, before it is begun that we do not consider that any compensation has been made or provided for the work. The appropriation by the act of March 18, 1884 (Acts 1883–'4, pp. 702, 703, ch. 523), as we regard it, was for work which has since been done, the notes and references contemplates being such as will be found in the Code—the citations of adjudged cases and other references being much more numerous than in the Code of 1849, and the notes fully as many. The appropriation by the act of May 21, 1887 (Acts Extra Session, 1887, pp. 434-5, ch. 3397), was for preparing the index, superintending publication, and services of clerk; and it is declared in the act that the amounts spe-

cified therein "shall be in full, together with amounts heretofore appropriated, of all compensation for the revision and index, and superintending of printing." The preparation and publication of "Notes" required by the 7th section of the act of 21st May, 1887 (Acts Extra Session, 1887, p. 426, ch. 331), do not in our opinion constitute any part of the work above mentioned—to-wit: "The revision and index and superintending of printing." It is in addition thereto.

The only appropriations for the benefit of the revisors were made by the two acts before referred to, together they amount to $12,000, that is, $4,000 to each. We have been engaged in this work about three and a half years—withdrawn mostly from all other business, and subjected to great loss. As to the loss of practice, it cannot be computed, and may be laid out of view. But the actual necessary expenses incurred may in a measure be estimated. Our board in Richmond during four winters, and the fall and spring months, averaging fully six months each year, cost us $50 per month, making $300 per year—$1,200 for the whole time. Deduct this from $4,000, and it leaves $2,800, which for three and a half years would be at the rate of $800 per year. During the summer months we met in the country and continued our work, paying board. Making a reasonble deduction for this, and none for other actual necessary expenses; we will have received considerbly less than $800 per year. In short, what we will have received will go to indemnify us in part for losses sustained, not to compensate us for services not rendered.

In view of these facts, if the General Assembly is not disposed to provide compensation for the additional work remaining to be done, for which we think no compensation has heretofore been made or provided, we respectfully ask that this work be dispensed with, so far as we are concerned.

Very respectfully,

E. C. BURKS,
W. R. STAPLES,
JOHN W. RIELY.

On motion of Mr. HAY, the communication was ordered to be printed and referred to the committee for courts of justice.

The following were presented and referred under Rule 37:

By Mr. SILVER: A bill to define lawful fences along the public highways in the county of Frederick. Referred to the committee on counties, cities and towns.

By Mr. WILKINS: A joint resolution requiring the auditor of public accounts to embody in his annual report certain statistics. Referred to the committee on finance.

The morning hour having expired, the House proceeded to the business on the calendar.

The following Senate bills were read a third time and passed:

No. 248. Senate bill entitled an act to incorporate the Virginia and North Carolina construction company.

No. 379. Senate bill entitled an act to amend and re-enact the 1st and 2d sections of an act entitled an act to authorize the council of the town of Gordonsville to issue bonds for the purpose of constructing water-works, approved February 9, 1888.

Motions severally made to reconsider the votes by which Senate bills Nos. 248 and 379 were passed, were rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 134. House bill providing for the sub-divisions of tracts of land into lots or parcels, and for the record of plats thereof.

No. 272. House bill to work and keep in order the public roads in the county of Pittsylvania.

No. 332. House bill to amend and re-enact section 1 of an act entitled an act to provide for the assessment of real estate in this State in the year 1885 and every fifth year thereafter, approved November 27, 1884. (Amended.)

No. 358. House bill to repeal the charter of the town of Hillsville.

No. 411. House bill for the relief of J. Winston Repass, treasurer of Wythe county.

No. 417. House bill to extend the time for the collection of tax-tickets in the hands of L. Wilson, J. P. Charlton and A. O. Sullivan, deputies of C. W. Sullivan, deceased, treasurer of Montgomery county.

Nos. 272, 134, 417, 411 and 358. House bills, being presently engrossed, they were, on motions severally made, read a third time this day (two-thirds in the House so determining, respectively) and passed.

Motions severally made to reconsider the votes by which House bills Nos. 272, 134, 417, 411 and 358 were passed, were rejected.

No. 60. Senate bill entitled an act for the relief of the sureties of James P. Critz, late treasurer of Patrick county.

The amendments proposed by the committee on finance were agreed to.

The amendments being presently engrossed,

The bill was read a third time and passed—yeas 57; nays 10.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, Arnold, Baldwin, Baskerville, Bristow, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Daingerfield, Dickey, Edmondson, Elam, Evans, Figgatt, Hobson, Huffman, Hunter, Jones, Leggett, Martin, Mayo, McClintic, McKee, McNeil, J. E. Moore, Mustain, Parr, Pedigo, Perkins, Pilcher, Porter, Riner, Roane, E. L. Roberts, J. Roberts, Robinson Sanger, Saunders, Scott, Sebrell, Spencer, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Williams, Wright and Young—57.

NAYS—Messrs. Dabney, Hay, Johnson, McCandlish, A. Moore, Jr., Pollard, Ryan, Treat, Watkins and West—10.

Mr. PARR moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 410. House bill for relief of T. E. McCracken from a fine imposed by the corporation court of Fredericksburg, was read a second time and ordered to be read a third time.

The bill being presently engrossed,

Mr. CRISMOND moved that it be read a third time this day, which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 65; nays 2.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, Arnold, Baldwin, Baskerville, Bristow, John A. Browne, Buford, Carter, Catlett, Counts, Craft, Crawford, Crismond, Dickey, Dupuy, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Flood, Gordon, Herbert, Hobson, Huffman, Hunter, Jones, Leggett, Magruder, Mayo, McKee, McNeil, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Pilcher, Pollard, Porter, Quesenberry, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Webb, West, Williams and Young—65.

NAYS.—Messrs. Johnson and McCandlish—2.

Mr. CRISMOND moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 347. House engrossed bill to amend sections 2 and 3 of Fauquier telephone company, was read a third time and passed.

Mr. PILCHER moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 308. House bill to provide for the payment of the members of the special joint committee of the General Assembly of Virginia, acting under resolution of the 8th of February, 1886, and for the payment of the accountant of the said committee, was read a second time.

Mr. ANDERSON of *Rockbridge* severally moved to amend the bill by striking out the sums of $575, $375, $375, $475 and $550, and inserting in lieu thereof, $300, $200, $200, $250 and $300, respectively; which motions were rejected.

The bill was ordered to be engrossed to be read a third time.

A message was received from the Senate by Mr. Williams, who informed the House that the Senate had passed No. 465, Senate bill entitled an act to incorporate the Shenandoah driving park; in which they respectfully request the concurrence of the House.

On motion of Mr. MOORE of *Clarke and Warren*, the calendar was postponed for two minutes.

The SPEAKER laid the bill before the House.

The bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. MOORE of *Clarke and Warren*, requiring its reference to a committee.

A message was received from the Senate by Mr. Stubbs, who informed the House that the Senate had passed No. 253, Senate bill

entitled an act to incorporate the Richmond and Eltham railroad and navigation company, with an amendment; in which they respectfully request the concurrence of the House.

The SPEAKER laid the bill before the House.

The bill was placed on the calendar, the rule having been suspended on motion of Mr. FIGGATT requiring its reference to a committee.

No. 68. Senate bill entitled an act to amend and re-enact sections 3 and 4 of an act entitled an act appropriating the proceeds of the Glebe lands and other property belonging to the parishes of Abingdon, Ware and Petsworth, in the county of Gloucester, and for other purposes, passed January 25, 1814.

Mr. ROANE moved to amend the bill by requiring vacancies to be filled by a majority of the voters of the county as now provided by law; which was rejected.

The bill was read a third time and passed—yeas 40; nays 31.

On motion of Mr. ELAM, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Edmondson, Edwards, Figgatt, Herbert, Hobson, Huffman, Hunter, Kincheloe, Leggett, Loving, Magruder, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pollard, J. Roberts, Ryan, Saunders, Sebrell, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Wilkins, Williams and Wright—40.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Carter, Corbett, Craft, Curtis, Daingerfield, Dickey, Elam, Evans, Herring, Jones, Johnson, McCandlish, McNeil, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Spencer, Treat, Waddill and Young—31.

Mr. POLLARD moved to reconsider the vote by which the bill was passed.

Mr. BROWNE of *Nansemond* moved to pass by the motion to reconsider.

The motion by Mr. POLLARD was rejected.

A report of the committee on privileges and elections in the election case of A. M. MCCLINTIC, of the counties of Alleghany, Highland and Bath, is as follows:

The undersigned members of the committee on privileges and elections respectfully submit the following report, involving the eligibility of A. M. McClintic to a seat in this House from the counties of Alleghany, Bath and Highland.

We concur in the report heretofore filed by five (5) members of this committee as to the qualifications requisite to eligibility for membership of this body, viz.: Actual residence and *right to vote* at the time of election.

We entirely dissent, however, from the proposition substantially maintained, that "actually a resident," in the Constitution, means continual bodily presence, or such presence at short intervals.

It is respectfully submitted, that said report confounds actual with constructive residence, as we believe will appear from the following relation of proved facts, and citation of authorities, applicable thereto:

The evidence shows that A. M. McClintic was born and raised at Oak Hill, in Bath county, the place he now claims as his residence.

He was married in 1872, and lived with his wife at Oak Hill until 1880, when she moved to Botetourt county to nurse her aged and invalid mother.

At the time of her removal it was distinctly stated by McClintic that while he could not object to her going, in as much as she had nursed his own sick mother until her death, yet he could not go with her, on account of business interests in Bath county.

Shortly before leaving Bath county, a sale of property was made; McClintic, however, reserved a lot of household and kitchen furniture and farming implements.

Since parting with his ownership of Oak Hill, in 1879, he has continually rented a room there, which he occupies when there, and sends his employees there when occasion requires it, who occupy the said room.

He is a merchant and cattle dealer, and spends most of his time at different places of business, being at Oak Hill as often as anywhere else, it being about the centre of his business operations. Letcher, the post-office nearest Oak Hill, is his post office address. (See Miss Lacy's evidence, page 23). He has always voted at the election precinct in which Oak Hill is located; pays his "capitation" and "personal property tax" there; serves on juries; and in fact exercises all the rights of citizenship in Bath county, and nowhere else.

He swears that Oak Hill is now and always has been his actual residence, and that he has no intention of removing therefrom. In fact he has done every thing consistent with the business interest of himself and wife to make Oak Hill his actual place of residence.

'Tis true that his wife lives at present in Botetourt county; there is no child by the marriage; no estrangement between them; the separation is of necessity, and not of choice. She went to Botetourt to nurse her mother, after her mother's death she remains there to settle up and take care of the estate.

The residence of the husband fixes that of the wife, and not the wife the husband's.

All the authorities agree that no definition can be given of residence that will apply to all cases, but that each case must depend upon its own facts and circumstances.

There are three classes of residences: 1st, by birth, "*Domicilium originis;*" 2nd, by choice, the place of residence voluntarily acquired by a party, "*Proprio marte;*" 3rd, constructive residence, or residence by operation of law. Bouvier's Law Dict., page 499; Story on Conflict of Laws, page 57. Constructive residence is a result of the law, without regard to the will or intent of the person, *e. g.*, the residence of a wife by reason of her marriage, the residence of the husband being by construction of law her residence, the residence of children

born in foreign lands while their parents reside in another country, the residence of the parents being the residence of the children. Bouvier's Law Dict., page 499; Story's Conflict of Law, page 57. Constructive residence arises by operation of law for the preservation of social, individual and political rights, which can be secured in no other way.

We can recall no instance of the preservation of a political right by construction of law, unless it be in the case of a voter's removal, without the intention of returning, from one county to another, and his residence in his new home commencing within three months of election.

It is reasonable that he should retain his former residence constructively for the preservation of his rights, it being the principal of the law that a man is never without a residence, and that he retains the old until he acquires the new residence.

We believe the inferences which must necessarily be drawn from the propositions laid down in the report heretofore filed, viz.: that McClintic has no actual residence anywhere, and that continual bodily presence, or such presence at very short intervals, is necessary to constitute actual residence, are erroneous. Wharton on Conflict of Laws, section 33, says: "However artificial may be the idea of domicile, it is a necessity of civilized life." McCrary on Elections, page 498, says: "A man must have a domicile somewhere." Cooley on Constitutional Limitations, page 600 (side), says: "Every person, at all times, must be considered as having a 'domicile' somewhere." Wharton on Conflict Laws, section 55, says: "Mere absence by itself can never divest 'domicile,' no matter how long such absence may continue. The absentee, whether he wander from place to place for pleasure or on business, may continue this absence for years, but until a new domicile is acquired the old remains. In such case the burden of proof is on the party who impugns the established residence.

Supreme court of the United States, in Mitchell *vs.* United States, 21st Wall, page 252, uses language to same effect which our own court of appeals, in Pilson's trustee *vs.* Bushong, 29 Grattan, page 239, and Lindsay *vs.* Murphy, 76 Virginia Reports, page 428, quotes approvingly, and lays down the same principle.

McCrary on Elections, page 500, quoting from the language of Chief Justice Shaw, in Lyman *vs.* Fiske (5th Peck, 234), speaking of the intention, as bearing on residence, says: "The act and the intent must concur, and the intent may be inferred from declarations and conduct. It is often a question of great difficulty, depending on minute and complicated circumstances, leaving the question in so much doubt that a slight circumstance may turn the balance; in such a case the mere declaration of the party, made in good faith, of his election, to make the one place rather than the other as his home, would be sufficient to turn the scale.

The requirements of civilized society locate every citizen; more specially must this be so in a government like ours, which is "of

the people, by the people, and for the people." 'Tis true, McClintic spends but little of his time at Oak Hill, if actual residence means continual bodily presence, or a very large proportion of one's time is to be spent at a place to acquire and retain it, McClintic is not an actual resident, but we submit that actual residence is domicile; that where it is must be determined by surrounding circumstances, intention and the acts of the individual. The law assigns every citizen an actual residence somewhere. When a person has an actual residence it continues until another is acquired, and when a change of residence is alleged the burden of proving the change rests on the party making the allegation.

With this view of the case, we recommend the adoption of the following resolution:

Resolved, That A. M. Clintic is eligible to occupy the seat as a member of this House from the district of Bath, Alleghany and Highland counties.

L. C. BRISTOW,
MORGAN TREAT,
B. BASKERVILLE, JR.,
RO. M. MAYO,
J. B. WEBB,
THOS. S. WEST.

The resolution in one report is as follows:

Resolved, That the seat of the member from the counties of Alleghany, Highland and Bath be declared vacant.

J. E. MOORE,
HENRY R. POLLARD,
ROBERT I. SIMPSON,
JOSEPH HOBSON,
J. F. RYAN,
W. D. DUPUY.

The resolution in the other report is as follows:

Resolved, That A. M. MCCLINTIC is eligible to occupy the seat as a member of this House from the district of Bath, Alleghany and Highland counties.

L. C. BRISTOW,
MORGAN TREAT,
B. BASKERVILLE, JR.,
RO. M. MAYO,
J. B. WEBB,
THOS. S. WEST.

Mr. FIGGATT moved to postpone the reports until the 5th day of March next; which was rejected—yeas 26; nays, 51.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, W. A. Anderson, Buford, Catlett, Coleman, Corbett, Craft, Crismond, Curtis, Dabney, Dupuy, Edwards, Figgatt, Flood, Herbert, Hunter, Kincheloe, Leggett, A. Moore, Jr., Morton, Overby, Pilcher, Sebrell, Silver, Starke and Terrell—26.

NAYS—Messrs. Speaker, Allensworth, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Carter, Counts, Crawford, Dickey, Echols, Elam, Evans, Hay, Herring, Huffman, Jones, Johnson, Loving, Martin, Magruder, McCandlish, McKee, McNeil, J. E. Moore, Mustain, Pedigo, Perkins, Pollard, Porter, Quesenberry, Roane, Riner, J. Roberts, Robinson, Ryan, Sanger, Saunders, Scott, Spencer, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Williams and Young—51.

The question being on agreeing to the resolution that the seat of the member from the counties of Alleghany, Highland and Bath be declared vacant, was put and decided in the negative—yeas 4; nays 67.

On motion of Mr. POLLARD, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Hunter, J. E. Moore and Pollard—4.

NAYS—Messrs. Allensworth, W. A. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Carter, Catlett, Coleman, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Edmondson, Elam, Evans, Figgatt, Flood, J. S. Harris, Herring, Huffman, Johnson, Kincheloe, Leggett, Loving, Martin, Mayo, McCandlish, McNeil, Morton, Mustain, Parr, Pedigo, Perkins, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Silver, Spencer, Starke, Terrell, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Williams, Wright and Young—67.

Mr. ECHOLS stated that he would have voted in the affirmative, but was paired with Mr. MONTAGUE.

Messrs. CORBETT and JONES stated that they would have voted in the negative, but were paired with Messrs. RYAN and Hobson, respectively.

The question being on agreeing to the resolution that A. M. McCLINTIC is eligible to occupy the seat as a member of this House from the district of Bath, Alleghany and Highland counties, was put and decided in the affirmative.

On motion of Mr. TREAT, the House adjourned until to-morrow at eleven o'clock A. M.

THURSDAY, FEBRUARY 23, 1888.

On motion of Mr. TREAT, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 22, 1888.

The Senate have passed House bills entitled an act to incorporate the Farmers' benevolent fire association, of Franklin county, No. 44; an act to incorporate the Virginia and Pennsylvania iron and coal company, No. 45; an act for the relief of the tax-payers of Carroll county, No. 146; an act to authorize the surviving trustees of Union academy of Appomattox county to fill vacancies, No. 202; an act to amend the charter of the city of Staunton, No. 271; an act to allow the voters in Carrollton precinct, Isle of Wight county, to vote on the adoption of the no-fence law, No. 274; an act to provide for a new registration in the city of Manchester and the counties of Chesterfield and Powhatan, No. 141; an act to amend and re-enact section 22 of an act approved March 8, 1884, entitled an act to provide for the working of public roads and bridges, No. 150; and an act to incorporate the Scott telephone and telegraph company, in the county of Fauquier, No. 173.

They have passed, with amendments, House bills entitled an act for the relief of B. S. English, deputy treasurer of Westmoreland county, No. 143; an act to incorporate the savings bank of the Grand fountain united order true reformers, No. 149; an act to further define the duties and enlarge the powers of the commissioner of agriculture, No. 191; an act for the protection of farmers against spurious and worthless fertilizers, No. 192; and an act to give the assent of the State of Virginia to the provisions of an act of Congress, approved March 2, 1887, in relation to an agricultural experiment station, No. 300.

They have agreed to the amendments proposed by the House of Delegates to Senate bills entitled an act to prescribe the time for killing partridges in the county of Accomac, No. 329; an act to authorize the circuit and corporation courts of this commonwealth to render judgments against receivers and commissioners and purchasers at judicial sales and their sureties in certain cases, No. 44; an act to incorporate the Hampton and Old Point railway company, No. 18 and 21; an act to provide for submitting to the qualified voters of the State the question of a constitutional convention, No. 228; and an act to incorporate the Copperhouk Springs company, No. 39.

They have agreed to Senate joint resolutions relative to defining the line separating Virginia from West Virginia, and joint resolution transferring a certain claim of the State of Virginia against the government of the United States to the Mount Vernon avenue association, chartered by this State.

In which amendments and joint resolutions they respectfully request the concurrence of the House of Delegates.

No. 143. House bill, was referred to the committee on finance.

No. 149. House bill, was referred to the committee on banks, currency and commerce.

Nos. 300, 192 and 191. House bills, were placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

Senate joint resolution transferring a certain claim of the State of Virginia against the government of the United States to the Mount Vernon avenue association, chartered by this State, was placed on the calendar, the rule having been suspended on motion of Mr. CORBETT, requiring its reference to a committee.

Senate joint resolution relative to defining the line separating Virginia from West Virginia, was placed on the calendar, the rule having been suspended on motion of Mr. SILVER, requiring its reference to a committee.

No. 72. Senate bill entitled an act to amend and re-enact sections 30 and 33, chapter 60 of Acts of Assembly of 1878–'79, entitled an act prescribing the duties, powers, liabilities and compensation of certain county officers; providing for the collection of taxes and for the repeal of chapters 37 and 46, Code of 1873, approved March 29, 1875, as amended by an act of March 29, 1876; amending sections 15 and 30, and by an act, approved the same day, amending section 47, and by an act, approved March 20, 1877, and by an act, approved April 2, 1877, amending the 18th and 20th sections, and by an act, approved the same day, amending the 30th section, and by three several acts, approved March 12, 1878, amending the 7th, 6th and 29th sections of said first mentioned acts, and to repeal all acts and parts of acts inconsistent herewith, and to amend and re-enact section 613, revised Code, with amendments, was reported from the committee on finance.

The following Senate bills were reported from the committee on roads and internal navigation:

No. 33. Senate bill entitled an act to incorporate the Bristol and South Atlantic railroad company, with amendments.

No. 354. Senate bill entitled an act to amend and re-enact sections 1 and 10 of an act entitled an act to incorporate the Surry and Smithfield railroad company, approved March 6th, 1886.

No. 192. Senate bill entitled an act for the relief of R. H. Dowman, was reported from the committee on finance.

No. 199. House bill joint resolution concerning the appointment of a State police by the governor, heretofore recommitted to the committee on officers and offices at the capitol, was reported back.

The following House bills, reported from the committee on finance, were read a first time:

No. 445. House bill to direct a sale of the State's interest in the Richmond, Fredericksburg and Potomac railroad.

No. 446. House bill for the relief of Thomas Owens from the payment of a fine imposed by the county court of Grayson.

No. 447. House bill directing the railroad commissioner to furnish information to the General Assembly at its next session touching steam heating and other safety heating appliances on railroad passenger cars, reported from the committee on roads and internal navigation, was read a first time.

The following House bills, reported from the committee on propositions and grievances, were read a first time:

No. 448. House bill to incorporate the Rediviva Mineral water company of Rappahannock county.

No. 449. House bill to incorporate the Roanoke young men's christian association.

No. 450. House bill to open new roads in Russell county, reported from the committee on counties, cities and towns, was read a first time.

Mr. ROBERTS of *Washington county* offered the following resolution:

Resolved, That on and after to-morrow the chair be vacated at two o'clock P. M. and resumed at eight o'clock P. M. except Saturday's, and at the night sessions the roll be called and each member be allowed to call up one local bill, and that a member calling up a bill shall not consume more than ten minutes time in explaining and discussing the same, and a member shall not consume more than five minutes in discussing a bill not introduced by himself, the House referred the resolution to the committe on rules.

Mr. POLLARD offered the following resolution:

Resolved, That the committee on courts of justice be instructed to enquire and report to this House as soon as practicable, whether in their opinion the law passed at the last extra session imposing a license tax on persons selling liquors by samples is constitutional.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

Mr. HAY stated that when the vote was taken on yesterday on agreeing to the resolution that the seat occupied by the delegate from the counties of Bath, Alleghany and Highland be declared vacant, he voted in the affirmative. His voice was inaudible at the clerk's desk.

Leave of absence was granted Mr. EWELL for three days, and Messrs. BARBOUR and GRAVES indefinite.

The following were presented and referred under Rule 37:

By Mr. ECHOLS: A bill for the relief of Zion Evangelical Lutheran church of Augusta county. Referred to the committee on finance.

The morning hour having expired, the House proceeded to the business on the calendar.

The following Senate bills were read a third time and passed:

No. 434. Senate bill entitled an act for the protection of game in the county of King William.

No. 308. Senate bill entitled an act to amend and re-enact an act entitled an act to incorporate the Midlothian, Manchester and Richmond railway and mining company.

Motions severally made to reconsider the votes by which Senate bills Nos. 434 and 308 were passed, were rejected.

No. 315. House engrossed bill to allow Chas. M. Shannon, Jas. V. Richardson and N. J. Nelson, deputy treasurers for John W. Richardson, treasurer of Smyth county, to amend and add to their respective returns of delinquent taxes for years 1882, 1883 and 1884.

The motion entered by Mr. CATLETT to reconsider the vote by which the bill was rejected, was agreed to.

The question recurring on the passage of the bill, was put and decided in the negative—yeas 46; nays 27.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, Baldwin, John A. Browne, Buford, Carter, Coleman, Counts, Craft, Crawford, Curtis, Daingerfield, Dickey, Edmondson, Edwards, Elam, Figgatt, Herbert, Herring, Hobson, Jarratt, Jones, Kincheloe, Martin, Mayo, McCandlish, McClintic, McNeil, A. Moore, Jr., J. E. Moore, Overby, Parr, Pedigo, Perkins, Pilcher, E L. Roberts, J. Roberts, Sanger, Scott, Simpson, Spencer, Starke, Terrell, Lyon G. Tyler, Watkins, Williams and Young—46.

NAYS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Catlett, Dabney, Flood, Gordon, J. S. Harris, Hay, Hunter, Johnson, Leggett, Magruder, Montague, Morton, Mustain, Pollard. Porter, Quesenberry, Roane, Ryan, Sebrell, Silver, Tinsley, Webb, Wilkins and Wright—27.

No. 292. House bill to authorize the auditor of public accounts to re-issue to J. S. French a warrant heretofore issued to W. W. French and returned to the auditor, was read a second time and ordered to be engrossed.

The bill being presently engrossed,

Mr. TERRELL asked that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 73.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Bristow, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Figgatt, Flood, Gordon, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, A Moore, Jr., J. E. Moore, Mustain, Overby, Parr, Pedigo, Perkins, Pilcher, Pollard, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Ryan, Sanger, Scott, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, Webb, West, Williams, Wright and Young—73.

Mr. TERRELL moved to reconsider the vote by which the bill was passed; which motion was rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 412. House bill to relieve Rev. Isaac Long, of Rockingham county, of taxes improperly paid by him.

No. 206. House bill to incorporate the Blacksburg telegraph and telephone company, in the county of Montgomery.

No. 399. House bill giving P. D. Divers, late treasurer of Franklin county, and his deputies the power of levy and distress to collect certain uncollected tax-tickets now in his hands.

No. 393. House bill to empower the judge of the county court of Southampton county to appoint one or more policemen for the various magisterial districts of said county.

No. 377. House bill to provide for a new registration in the county of Appomattox.

No. 174. House bill to incorporate the Falls Church telephone company.

No. 388. House bill to amend and re-enact section 33 of an act entitled an act to amend the charter of the city of Alexandria, approved January 20, 1871, as amended by an act approved March 22, 1871, and by an act approved March 17, 1876, and by an act approved March 20, 1879, and by an act approved March 25, 1879.

No. 378. House bill to authorize the loan of muskets to the Lofty Retreat male academy.

Nos. 206, 393, 377, 174, 388 and 378. House bills, being presently engrossed were on motions severally made read a third time this day (two-thirds in the House so determining, respectively) and passed.

Motions severally made to reconsider the votes by which House bills Nos. 206, 393, 377, 174, 388 were passed, were rejected.

No. 240. Senate bill entitled an act to provide for a new registration in the county of Loudoun.

Mr. RYAN offered an amendment in the nature of a substitute; which was agreed to.

The bill was ordered to its third reading.

No. 361 House engrossed bill to provide for additional terms of the circuit courts of the city of Norfolk, and authorizing the judges of said courts to enter decrees in chancery causes at chambers, was read a third time and passed.

Mr. Starke moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 53. Senate bill entitled an act to establish a normal school at William and Mary college in connection with its collegiate course.

Mr. Crawford moved to commit the bill to the committee on finance; which motion was rejected—yeas 31; nays 48.

On motion of Mr. WILKINS, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Baldwin, Buford, Catlett, Coleman Counts, Crawford, Crismond, Dabney, Echols, Edmondson, Figgatt, Flood, Gordon, Hay, Hobson, Huffman, Hunter, Loving, Magruder, Montague, A. Moore, Jr., Mustain, Pilcher, Porter, Ryan, Terrell, West and Wright—31.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, Carter, Corbett, Craft, Curtis, Daingerfield, Dickey, Dupuy, Edwards, Elam, Evans, A. W. Harris, Herbert, Herring, Jarratt, Jones, Johnson, Kincheloe, Leggett, Martin, Mayo, McCandlish, McClintic, McNeil, Pedigo, Perkins, Pollard, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Sebrell, Silver, Simpson, Spencer, Starke, Treat, Lyon G. Tyler, R. H. Tyler, Webb, Wilkins, Williams and Young—48.

The hour of half-past one o'clock P. M. having arrived, the House proceeded to the business on the calendar in its regular order.

The amendments of the Senate to the following House bills were agreed to:

No. 253. House bill entitled an act to incorporate the Richmond and Eltham railroad and navigation company.

No. 191. House bill entitled an act to further define the duties and enlarge the powers of the commissioner of agriculture.

No. 192. House bill entitled an act for the protection of farmers against spurious and worthless fertilizers.

No. 300. House bill entitled an act to give the assent of the State of Virginia to the provisions of an act of Congress, approved March 2d, 1887, in relation to an agricultural experiment station.

Motions severally made to reconsider the votes by which the amendments of the Senate to House bills Nos. 253, 191, 192 and 300 were agreed to, were rejected.

Mr. WATKINS stated that he would have voted in the affirmative but was paired with Mr. BROWNE of *Nansemond.*

The report of the committee on privileges and elections in the contested election case of Kilgro against Leggett from the county of Princess Anne, came up.

The question being on agreeing to the minority report was put and decided in the negative—yeas 28; nays 45

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Daingerfield, Elam, Evans, A. W. Harris, Herring, Jarratt, Martin, Mayo, McCandlish, McNeil, Montague, Pedigo, Perkins, Porter, Riner, Roane, Robinson, Sanger, Spencer, Treat, Webb and Young—28.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Carter, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Figgatt, Flood, Gordon, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Kincheloe, Loving, Magruder, A. Moore, Jr., Morton, Mustain, Overby, Pollard, J. Roberts, Ryan, Sebrell, Silver, Simpson, Starke, Watkins, West, Williams and Wright—45.

The question being on agreeing to the report of the committee, was put and decided in the affirmative.

On motion of Mr. MAYO, the House adjourned until to-morrow at eleven o'clock A. M.

FRIDAY, FEBRUARY 24, 1888.

On motion of Mr. TREAT, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 23, 1888.

The Senate have passed House bills entitled an act to amend and re-enact section 75 of chapter 78 of the Code of 1873, in regard to unexpended school funds, No. 17; an act to amend and re-enact sections 1165 and 1166 of chapter 48, Code of Virginia, 1887, prescribing qualifications of bank directors, No. 151; an act to amend and re-enact section 2871 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, in relation to special partnerships, No. 159; an act to amend section 1 of an act entitled an act to provide for a new registration of voters at Stock Yards precinct, in the county of Roanoke, approved May 18, 1887, No. 195; an act to provide for the purchase of certain property, an additional improvement for the State normal school and to make appropriation therefor, No. 201; an act to incorporate the Cohoke association, No. 205; an act to incorporate the South View orphan home, No. 208; an act to empower the judge of the circuit court of Augusta county to appoint one or more policemen for the various magisterial districts of said county, No. 213; an act to incorporate the society of the Honorable Knights of Jonathan of the State of Virginia, No. 227; an act for working and keeping in repair the roads and bridges in Spotsylvania, No. 230; an act to provide a new registration of voters in the town of North Danville, Pittsylvania county, No. 232; an act to incorporate the Danville tobacco association, No. 247; an act to authorize Theodore Houghwont to erect a wharf on Chuckatuck creek, No. 258; an act to authorize Theodore Houghwont to erect a pier-head on his oyster grounds on James river, No. 259; an act to allow Mrs. Mary J. Young to erect a wharf, platform, shed and other necessary buildings for conducting the business at Franklin City, Accomac county, Virginia, adjoining her land, No. 260; an act to work and keep in order the public roads in the county of Pittsylvania, No. 272; an act to amend and re-enact sections 2 and 3 of an act, passed January 23, 1861, entitled an act amending and re-enacting the act entitled an act to incorporate the Jackson orphan asylum of Norfolk, passed February 26, 1856, No. 280; an act supplementary to the laws now in force for working the roads and repairing and rebuilding bridges in the county of Caroline, No. 285; an act to incorporate the Greenleaf Johnson lumber company, No. 286; an act to amend and re-enact section 5 of an act entitled an act to incorporate the Craig company, No. 287; an act to incorporate the Dismal Swamp hunting club of Norfolk county, No. 329; an act for the relief of Jno. W. Clay, late treasurer of Campbell county, No. 333;

an act to incorporate the Lambert's Point turnpike company, No. 339; an act declaring the James river the main track of the Richmond and Alleghany railroad, and the boundary lines of the farms within certain limits in the county of Amherst, a lawful fence, No. 340; an act extending the time to Chas. W. Woolfolk, treasurer of Orange county, for the collection of certain taxes and levies, No. 350; an act to amend and re-enact chapter 192 of the Acts of 1885-'86, entitled an act to incorporate the town of Pulaski City, in the county of Pulaski, No. 373; an act to incorporate the Dinwiddie granite company, No. 376; an act for the relief of T. E. McCracken from a fine imposed by the corporation court of Fredericksburg, No. 410; an act for the relief of J. Winston Repass, treasurer of Wythe county, No. 411; an act to extend the time for the collection of tax-tickets in the hands of L. Wilson, J. P. Charlton and A. O. Sullivan, deputies of C. W. Sullivan, deceased, treasurer of Montgomery county, No. 417; and an act to amend section 2919 of revised Code of 1887, in relation to limitation of suits, No. 419.

They have passed, with amendments, House bills entitled an act to amend sections 2 and 3 of Fauquier telephone company, No. 347; an act authorizing a special election to be held in Warren county to ascertain the sense of the voters upon the subject of the erection of certain bridges across the Shenandoah river, and to issue the bonds of the county to raise money therefor, No. 275; an act to amend and re-enact section 4 of an act, approved May 14, 1887, entitled an act to prevent the destruction of fish, and to prevent the obstruction of the free passage of the same in Dan river at or near Danville, Va., No. 318; and an act to allow the voters of Berkley magisterial district, Spotsylvania, to vote upon a fence law on certain conditions, No. 321.

They have agreed to the amendments proposed by the House of Delegates to Senate bills entitled an act for the relief of the sureties of James P. Critz, late treasurer of Patrick county, No. 60; an act to extend the charter and franchises of the Southern improvement company, No. 52; and an act to amend and re-enact section 1 of chapter 39, Code of 1873, as amended by an act approved February 15, 1879, and to amend and re-enact section 2 of chapter 39, Code of 1873, in reference to the price paid for the land warrants and the fees paid in the land office, No. 77.

They have passed Senate bills entitled an act to incorporate the Virginia savings and safe deposit company of Richmond, No. 117; an act to incorporate the Railway reform rolling stock company, No. 206; an act to amend sections 4, 7 and 15 of an act approved March 19, 1884, and to repeal section 16 of said act as amended by the act approved February 8, 1886, relative to the sale of delinquent lands, No. 239; an act to authorize the appointment of an inspector of accounts of public officers and those who exercise public trust, defining powers and duties, &c., No. 271; an act to amend and re-enact section 1073 of the Code of 1887, as to land acquired by in-

corporated improvement companies, No. 368; an act for the relief of the sureties of John B. Pitzer, late treasurer of Alleghany county, No. 436; an act to provide for a new registration in the county of Louisa, No. 450; and an act to incorporate the Big Stone Gap construction company, No. 457.

In which amendments and bills they respectfully request the concurrence of the House of Delegates.

No. 321. House bill, was referred to the committee on counties, cities and towns.

No. 347. House bill, was referred to the committee on propositions and grievances.

Nos. 275 and 318. House bills, were placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

Nos. 206, 117, 450, 457 and 368. Senate bills, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

Nos. 239, 271 and 436. Senate bills, were read twice and referred to the committee on finance.

No. 286. Senate bill entitled an act to authorize the payment to George E. Langster, late sheriff of Fairfax county, of the sum of forty dollars, was reported from the committee on finance.

No. 149. House bill entitled an act to incorporate the savings bank of the Grand fountain united order true reformers, was reported from the committee on banks, currency and commerce.

The following Senate bills were reported from the committee on schools and colleges:

No. 264 Senate bill entitled an act to pay teachers in the public schools of Virginia without requiring average attendance (with an amendment in the nature of a substitute).

No. 255. Senate bill entitled an act to prevent annual examinations of applicants for license to teach in the public free schools when such applicants have passed the examination (with a recommendation that it do not pass).

No. 335. Senate bill entitled an act to amend and re-enact the 23d section of the charter of the city of Richmond, in relation to encroachments on the streets, was reported from the committee on counties, cities and towns, with amendments.

No. 451. House bill to provide State convicts free to counties to work on public roads, to provide further employment for said convicts and to repeal an act entitled an act to employ convict labor on county roads and other works of internal improvement, approved March 6, 1886, reported from the committee on asylums and prisons, was read a first time.

No. 452. House bill to incorporate the town of Berkley, in the county of Norfolk, reported from the committee on counties, cities and towns, was read a first time.

Mr. ANDERSON of *Fluvanna*, under a suspension of the rule, presented

No. 453. House bill extending the time for one year for the collection of certain taxes and levies by the treasurer of Fluvanna county and his deputies, which was read a first time.

Mr. HUFFMAN, under a suspension of the rule, presented

No. 454. House bill to incorporate the Salem and Roanoke turnpike company, which was read a first time.

No. 455. House bill to amend and re-enact section 1493, chapter 66, new Code of Virginia, in relation to sending children in the county to free schools of the city, reported from the committee on schools and colleges, was read a first time.

No. 456. House bill to incorporate the building association of American lodge, No. 1789, Grand united order of Odd-Fellows of the city of Richmond, reported from the committee on propositions and grievances, was read a first time.

The following report was agreed to:

To the House of Delegates:

The undersigned, special committee appointed to investigate the matter of the alleged abuse of the use of free railroad passes by members of this House, and to whom was recommitted the report formerly submitted to the House by them with instructions to take further testimony and recommend what action should be taken by the House in the premises, respectfully submit this supplemental report:

Mr. E. PARR was notified to appear before the committee and offer such further testimony as he might desire. Mr. PARR appeared before the committee and stated that he had no additional testimony to offer, and should offer none. No other evidence has been tendered from any source. Hence as to that branch of the subject the committee report that they have no additional testimony to submit.

The committee reiterate all that was said in their former report.

The committee submit the following resolution, and recommend its adoption by the House—to-wit:

Resolved by the House of Delegates, That the conduct of E. PARR, the delegate from Patrick county, in connection with the matter of borrowing and lending free railroad passes, is reprehensible in the extreme, and that this House places upon record its unqualified condemnation thereof.

Respectfully submitted,

L. D. STARKE, *Chairman*,
L. C. WATKINS,
G. C. HUFFMAN,
L. C. BRISTOW,
W. P. ROANE.

On motion of Mr. MAYO, the committee on finance was discharged from the consideration of .

No. 143. House bill entitled an act for the relief of B. S. English, deputy treasurer of Westmoreland.

The bill was placed on the calendar.

. On motion of Mr. FLOOD, the committee on finance was discharged from the consideration of

No. 301. Senate bill entitled an act for the relief of John R. Franklin, late treasurer of Appomattox county.

The bill was placed on the calendar.

On motion of Mr. BROWNE of *Nansemond*, the committee on banks, currency and commerce was discharged from the consideration of

No. 195. Senate bill entitled an act to amend and re-enact sections 1, 2, 4, 5, 6 and 8 of an act entitled an act to establish a board of river and harbor commissioners for Nansemond river, approved February 9, 1882.

The bill was placed on the calendar.

The following report was agreed to:

The committee on asylums and prisons have had under consideration a bill relating to the hiring of county convicts, to them referred, and ask to be discharged from its further consideration, and that it be referred to the committee for courts of justice.

Mr. MOORE of *Clarke and Warren*, under a suspension of the rule, offered the following resolution:

Resolved, That the superintendent of public printing be requested to inform the House how many copies of the report of the board of visitors to the Virginia military institute for the year 1887 were printed at his office, and what disposition has been made of them.

The resolution was agreed to.

The SPEAKER laid before the House a communication as follows:

COMMONWEALTH OF VIRGINIA,
OFFICE OF SUPERINTENDENT OF PUBLIC PRINTING,
RICHMOND, VA., February 24, 1888.

HON. R. H. CARDWELL,

Speaker of the House of Delegates:

In response to the resolution of the House of Delegates adopted this day, inquiring as to the number of copies of the report of the board of visitors of the Virginia military institute for the year 1887, printed at this office, and the disposition of the same, I would state that 500 copies were printed as provided by law. They were delivered about the 1st of January to Messrs. Randolph & English to be bound with the other reports of public institutions. One hundred

extra copies were printed and shipped to Gen. F. H. Smith, superintendent of Virginia military institute, on the 5th day of January.

Very respectfully,

J. H. O'BANNON,
Superintendent Public Printing.

Leave of absence was granted Messrs. MOORE of *Pulaski and Giles*, MCCLINTIC and POLLARD two days each.

The following were presented and referred under Rule 37:

By Mr. BROWN of *Surry*: A bill to authorize R. E. Boykin and A. S. Edwards, trustees, to have certain tax bills now in their hands turned over to them by R. A. Cocke, late treasurer of Surry county, collected by levy. Referred to the committee on finance.

By Mr. MORTON: A bill for the relief of Marcus L. Triplett. Referred to the committee on finance.

By Mr. POLLARD: Joint resolution in regard to memorializing Congress as to the public debt of Virginia. Referred to the committee on federal relations and resolutions.

By Mr. COLEMAN: A bill to incorporate the Danville mining, milling, manufacturing and terminal company, of Danville, Va. Referred to the committee on roads and internal navigation.

By Mr. FIGGATT: A bill to amend and re-enact section 1074, chapter 46, Code of 1873, in relation to examining and surveying lands for internal improvements. Referred to the committee for courts of justice.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 53. Senate bill entitled an act to establish a normal school at William and Mary college in connection with its collegiate course, came up.

Mr. HAY offered an amendment in the nature of a substitute; which was rejected.

The bill was read a third time and rejected—yeas 42; nays 37.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Corbett, Curtis, Dabney, Daingerfield, Dupuy, Edwards, Elam, Figgatt, Herbert, Herring, Jarratt, Jones, Kincheloe, Martin, Mayo, McCandlish, Montague, Overby, Perkins, Pollard, Roane, J. Roberts, Robinson, Scott, Sebrell, Simpson, Spencer, Starke, Tinsley, Treat, R. H. Tyler, Waddill, Watkins, Webb, Wilkins and Young—42.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Catlett, Coleman, Craft, Crawford, Dickey, Echols, Edmondson, Flood, J. S. Harris, Hay, Huffman, Hunter, Johnson, Magruder McKee, McNeil, A. Moore, Jr., Morton, Mustain, Parr, Porter, Quesenberry, Riner, E. L. Roberts, Ryan, Sanger, Terrell, Lyon G. Tyler, West, Williams and Wright—37.

Mr. TYLER of *Richmond city* moved to reconsider the vote by which the bill was rejected.

On motion of Mr. WADDILL, the motion to reconsider was passed by.

No. 395. House bill to prescribe for the schooling and length of labor of children employed in manufacturing and other establishments, was read a second time, amended and ordered to be engrossed to be read a third time.

No. 399. House engrossed bill giving P. D. Divers, late treasurer of Franklin county, and his deputies power of levy or distress, to collect certain uncollected tax-tickets now in his hands, was read a third time and passed.

Mr. SAUNDERS moved to reconsider the vote by which the bill was passed; which motion was rejected.

The hour of half-past one o'clock P. M. having arrived, special order,

No. 294. House bill to amend and re-enact section 48 of an act entitled an act to amend and re-enact sections 13 and 48 of an act entitled an act for the preservation of oysters and to obtain a revenue for the privilege of taking them from the waters of the commonwealth, approved November 26, 1884, as amended by chapter 26, section 48 of the Acts of 1887, approved March 30, 1887, was, on motion of Mr. POLLARD, dismissed.

The amendments of the Senate to the following House bills were agreed to:

No. 275. House bill entitled an act authorizing a special election to be held in Warren county to ascertain the sense of the voters upon the subject of the erection of certain bridges across the Shenandoah river, and to issue the bonds of the county to raise money therefor.

No. 318. Senate bill entitled an act to amend and re-enact section 4 of an act, approved May 14, 1887, entitled an act to prevent the destruction of fish, and to prevent the obstruction of the free passage of the same in Dan river at or near Danville, Va.

No. 143. Senate bill entitled an act for the relief of B. S. English, deputy treasurer of Westmoreland county.

No. 149. Senate bill entitled an act to incorporate the savings bank of the Grand fountain united order true reformers.

Motions severally made by Mr. MOORE of *Clarke and Warren* to reconsider the votes by which the amendments of the Senate to House bill No. 275 were agreed to, were rejected.

No. 20. Senate bill entitled an act to incorporate the Danville and Great Western railroad company, came up.

The report of the committee of conference as follows:

The committee of conference appointed to consider the disagreeing votes of the two houses on Senate bill No. 20, recommend that the Senate recede from its third amendment to the amendments proposed by the House, and that the following be adopted in lieu

thereof: "Provided that no consolidation of the corporation hereby created with any corporation chartered by another State, or any lease or sale thereof, shall operate to prevent such consolidated company from being a corporation of this State or in any manner to impair the jurisdiction of the courts of this State in respect of the property and franchises so leased or purchased."

—Was agreed to.

Mr. DABNEY moved to reconsider the vote by which the report was agreed to; which motion was rejected.

Ordered, That Mr. DABNEY inform the Senate that the House had agreed to the report.

The following Senate bills were read a third time and passed:

No. 420. Senate bill entitled an act to provide for a new registration in the county of Loudoun.

No. 325. Senate bill entitled an act to amend and re-enact chapter 369 of the Extra Session Acts 1887, entitled an act to amend and re-enact chapter 413, Session Acts 1885–'6, entitled an act to prescribe the time for holding the terms of the courts of the Eighth judicial circuit, approved May 21, 1887.

No. 279. Senate bill entitled an act for the relief of Fleming Anderson, a blind ex-Confederate soldier of Halifax county.

No. 211. Senate bill entitled an act to incorporate the Norfolk and Dismal Swamp steamboat company.

No. 269. Senate bill entitled an act to incorporate the Princess Anne county railway company.

Motions severally made to reconsider the votes by which Senate bills Nos. 420, 325, 279, 211 and 269 were passed, were rejected.

No. 319. Senate bill entitled an act to provide for working and altering roads and building and repairing bridges in the county of Mecklenburg, came up.

On motion of Mr. CATLETT, the bill was amended by adding at end of 1st section the following:

Provided that in any case where a satisfactory bid has not been obtained for the working and keeping in repair of any section or sections, the court may appoint a surveyor for said section or sections, to be worked and kept in order by said surveyor as provided by an act of Assembly passed March 20, 1875, said surveyors to be liable for any failure to discharge the duties imposed upon them as provided by said last named act.

The bill was ordered to its third reading.

The amendments being presently engrossed,

The bill was read a third time and passed.

Mr. CATLETT moved to reconsider the vote by which the bill was passed; which motion was rejected.

On motion of Mr. HAY, the House adjourned until to-morrow at eleven o'clock A. M.

SATURDAY, FEBRUARY 25, 1888.

On motion of Mr. KINCHELOE, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 24, 1888.

The Senate have passed House bills entitled an act to authorize county subscriptions to the capital stock of Charleston, Cincinnati and Chicago railroad company, No. 251; an act to incorporate the Falls Church telephone company, No. 174; an act to authorize the auditor of public accounts to re-issue to J. S. French a warrant heretofore issued to W. W. French and returned to the auditor, No. 292; an act to amend and re-enact section 33 of an act entitled an act to amend the charter of the city of Alexandria, approved January 20, 1871, as amended by an act approved March 22, 1871, and by an act approved March 17, 1876, and by an act approved March 20, 1879, and by an act approved March 25, 1879, No. 388; and an act to empower the judge of the county court of Southampton county to appoint one or more policemen for the various magisterial districts of said county, No. 393.

They have passed, with amendments, House bills entitled an act to incorporate the Great Southern railway company, No. 40; an act to amend and re-enact section 614 of chapter 27 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the compensation of county and city treasurers, No. 299; an act to authorize the qualified voters of Warwick county to vote upon the question of the removal of the courthouse of said county, No. 304; and an act to provide for making, changing and working roads in the county of Rockingham, No. 301.

They have agreed to the substitute proposed by the House of Delegates to Senate bill entitled an act to provide for a new registration in the county of Loudoun, No. 420.

They have agreed to the report of the joint conference committee on Senate bill entitled an act to incorporate the Danville and Great Western railroad company, No. 20.

They have passed Senate bills entitled an act providing for the crossing of one railroad by another, and for the crossing of canals, turnpikes and county roads, and the alteration and change of course of railroads, turnpikes, county roads, water courses, &c., No. 371; and an act to amend and re-enact section 22 of chapter 181 of the Acts of Assembly of 1874–'5, to provide for working and keeping in order the roads of the commonwealth, approved March 20, 1875, so far as applies to Northumberland county, No. 435½.

In which amendments and bills they respectfully request the concurrence of the House of Delegates.

Nos. 40, 299 and 301. House bills, were placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

No. 304. House bill, was referred to the committee on counties, cities and towns.

No. 371. Senate bill, was read twice and referred to the committee on roads and internal navigation.

No. 435½. Senate bill, was read twice and referred to the committee on counties, cities and towns.

The following Senate bills were reported from the committee on roads and internal navigation.

No. 289. Senate bill to authorize the Petersburg railroad company to lease its road.

No. 373. Senate bill to amend and re-enact section 10 of chapter 125 of an act to incorporate the West Norfolk and Carolina railroad company, approved May 2d, 1887.

No. 296. House bill entitled an act to incorporate the River Plateau railway company, was reported from the committee on roads and internal navigation.

No. 457. House bill to confirm the result of the vote taken in Tazewell county on 26th May, 1887, for a subscription to the capital stock of the Virginia Western railroad company, reported from the committee on roads and internal navigation, was read a first time.

Mr. TYLER of *Prince William*, under a suspension of the rule, offered the following:

No. 458. House bill to authorize the voters of Gainesville district to vote upon the question of amending the present fence law, which was read a first time.

Mr. FLOOD, under a suspension of the rule, offered the following:

No. 459. House bill to provide for a new registration in the county of Wythe, which was read a first time.

Mr. HUFFMAN, under a suspension of the rule, presented

No. 460. House bill to provide for a new registration of voters for Roanoke City, which was read a first time.

No. 461. House bill to amend the charter of the town of Charlottesville, reported from the committee on counties, cities and towns, was read a first time.

The following House bills, reported from the committee on finance, were read a first time:

No. 462. House bill for the relief of A. F. Sturgis, a private of Norfolk city guard, Virginia volunteers.

No. 463. House bill to provide for the assessment of taxes on persons, property and incomes, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and to provide for the mode of applying for licenses to transact any business of this State, and prescribing the amount to be paid as a condition precedent to the right to transact such business.

The following Senate bills were reported from the committee on finance:

No. 386. Senate bill entitled an act for the relief of J. J. Henritze, late treasurer of Russell county, and his sureties.

No. 428. Senate bill entitled an act to extend the time in which W. W. Kincheloe, county treasurer of Prince William county, shall be authorized to collect taxes.

No. 436. Senate bill entitled an act for the relief of the sureties of John B. Pitzer, late treasurer of Alleghany county.

No. 340. Senate bill entitled an act for the relief of William B. Foster, clerk of circuit court of Wythe county, Va.

No. 127. Senate bill entitled an act for the relief of the sureties of C. H. Ingles, late treasurer of Henry county.

No. 437. Senate bill entitled an act to relieve the sureties of A. F. Creel.

No. 297. Senate bill entitled an act for the relief of Samuel Sweney and Elkanah Sweney, of Floyd county.

No. 339. Senate bill entitled an act to relieve Fannie E. Harvie of taxes erroneously charged.

No. 104. Senate bill entitled an act for the relief of D. C. Mallory, treasurer of Grayson county.

No. 321. House bill entitled an act to allow the voters of Berkley magisterial district, Spotsylvania county, to vote upon a fence law on certain conditions, was reported from the committee on counties, cities and towns.

No. 464. House bill to incorporate the Fincastle telephone and telegraph company, reported from the committee on propositions and grievances, was read a first time.

Mr. CRAWFORD offered the following resolution:

Resolved, That during the remainder of the session all speeches shall be limited to ten minutes, and no member shall speak twice upon the same subject unless with the unanimous consent of the House.

The House refused to refer the resolution.

The resolution was agreed to.

Mr. SAUNDERS offered the following resolution:

Resolved, That on and after Monday next the chair be vacated at half-past two o'clock P. M. and resumed at half-past four o'clock P. M., and at the evening sessions the roll shall be called and only private or local bills shall be considered.

—Which was agreed to.

The following report was presented:

To the House of Delegates:

Your committee to whom was referred the following resolution:

"That the committee for courts of justice be instructed to enquire and report to this House as soon as practicable whether in their

opinion the law passed at the last extra session imposing a license tax on persons selling liquors by sample is constitutional."
—Make the following report:

That after carefully and fully examining the question referred to them for their opinion, they are constrained to report that in their judgment the law referred to is unconstitutional. The authority upon which the opinion of the committee is mainly based is the decision of the supreme court of the United States in the case of Robbins *vs.* Shelby Taxing District, 170 U. S. Rep., p. 489. While the court declares in that decision that it is an established principle that a State can legitimately, by virtue of its police power, pass laws "to regulate or restrict the sale of articles deemed injurious to the health or morals of the community"; yet the court also declares that "a State, in making such internal regulations, cannot impose taxes upon persons passing through the State or coming into it merely for a temporary purpose, especially if connected with inter-State or foreign commerce, nor can it impose such taxes upon property imported into the State from abroad or from another State, and not yet become a part of the common mass of property therein, and no discrimination can be made by any such regulations adversely to the persons or property of other States, and no regulations can be made directly affecting inter-State commerce."

The committee is clearly of opinion that the law under consideration is repugnant to this decision of the supreme court, and is therefore unconstitutional.

JAMES HAY, *Chairman.*

February 25, 1888.

Mr. MAGRUDER offered the following resolution:

Resolved (the Senate concurring), That when the General Assembly adjourn on Monday, March 5th, it adjourn *sine die.*

The House refused to refer the resolution to a committee.

Mr. HAY moved to strike out "Monday, March 5th," and insert "Wednesday, March 7th"; which was rejected.

Mr. ECHOLS moved to insert after "5th" the words, "One o'clock P. M."; which was rejected.

On motion of Mr. BUFORD, the resolution was laid on the table.

Mr. MAYO entered a motion to reconsider the vote by which No. 294, House bill to amend and re-enact section 48 of an act entitled an act to amend and re-enact section 48 of an act to amend and re-enact sections 13 and 48 of an act entitled an act for the preservation of oysters, and to obtain a revenue for the privilege of taking them from the waters of the commonwealth, approved November 26, 1884, as amended by chapter 26, section 48 of the Acts of 1887, approved March 30, 1887, was dismissed.

The following were presented and referred under Rule 37:

By Mr. WADDILL: A bill to prohibit the city of Richmond imposing or collecting tax, fine or other penalty upon any person selling

their own farm and other domestic products within the limits of said city to any huckster, green grocer, merchant, commission merchant or other person, except to the consumer direct by retail, outside of and from under the regular market-house and sheds of the said city. Referred to the committee on counties, cities and towns.

By Mr. WADDILL: A bill to prohibit the city of Richmond from imposing or collecting any tax, fine or other penalty upon any person selling their own farm and other domestic products within the limits of the said city outside of and from under the regular market-houses and sheds of the said city. Referred to the committee on counties, cities and towns.

The committee on enrolled bills report that the governor has approved the following bills:

An act for the relief of J. B. Dortch, of Halifax county, from a fine imposed by Halifax county court.

An act to allow Joseph T. Fudge, treasurer of Alleghany county, further time to distrain, levy and collect certain tax-tickets and license taxes for which he has accounted to the State.

An act to authorize the board of supervisors of Essex to rescind an order in relation to working public roads.

An act to authorize a special district school-tax in Auburn school district of the county of Montgomery.

An act to incorporate Brambleton lodge, No. 56, Knights of Phythias, Norfolk city, Va.

An act to authorize the board of supervisors of Rockbridge county to establish a ferry over James river at or near Glenwood depot.

An act for the relief of the tax-payers of Alleghany county.

An act to protect rabbits and hares in the counties of Hanover and Henrico.

An act for the relief of the sureties of Isaac N. Akers, late treasurer of Patrick county.

An act to incorporate the Virginia publishing company.

An act to provide the manner in which aid shall be extended to the poor of the several magisterial districts of Rockbridge county who are not supported in the county poor-house.

An act to incorporate the West-End water company.

An act to incorporate the Middletown and Capon Springs turnpike company.

An act to incorporate the Augusta telephone and telegraph company.

An act to incorporate the Edgewood cemetery company of Augusta county.

An act to incorporate the town of Blackstone, in Nottoway county, Va.

An act to amend and re-enact section 5 of an act entitled an act to incorporate the Norfolk fuel and gas-light company of Norfolk, Va., approved January 27, 1888.

An act to incorporate the town of Big Stone Gap in Wise county.

An act to amend and re-enact the charter of the town of Waynesboro, as approved April 28, 1874, and amended March 15, 1875.

An act to allow A. R. Green, treasurer of Halifax county, and J. H. Franklin, W. P. Carter, J. S. Price, W. T. Croxton, and P. B. Sydnor, deputy collectors for A. R. Green, treasurer of Halifax county, six months to collect any uncollected tax-tickets in their hands and not returned delinquent for 1882, 1883, 1884, 1885 and 1886.

An act to allow A. R. Green, treasurer of Halifax county, and his deputies six months within which to distrain and levy for and collect tax-tickets for 1882, and J. W. Chandler, deputy collector, to make a further return of delinquents for 1882.

House joint resolution respecting the quarters of the Southern historical society.

An act to incorporate the Foreign mission board of the Southern Baptist convention.

An act authorizing the governor to hire convicts to the Abingdon coal and iron railroad company.

An act to require the county judge of Greenville county to submit the question of continuing or repealing the fence law to the qualified voters of Belfield magisterial district in said county upon certain conditions.

An act declaring boundary lines legal fences in that portion of Manassas district, in Prince William county, lying north of Warrenton turnpike.

An act to amend and re-enact section 848 of chapter 36, Code of Virginia of 1887, relating to the duties and compensation of district officers.

An act to amend and re-enact section 907 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

An act to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

An act to constitute the town of Salem and adjoining territory a separate school district.

An act to amend and re-enact section 93 of the charter of the city of Richmond concerning the fire department.

An act to regulate the construction of railroads through mountain passes and defiles.

An act to provide for a new registration of voters in the city of Alexandria.

An act to provide for a new registration of voters in the county of Alexandria.

An act to release taxes due on the parsonage, Methodist Episcopal church, South, in Gloucester county.

An act to authorize the trustees of the Pisgah Methodist Episcopal church, South, in the county of Tazewell, to sell and convey their church property.

An act to change name of the Lynchburg agricultural and mechanical society.

An act to amend and re-enact sections 13 and 15 of an act entitled an act to amend and re-enact section 13 of an act entitled an act to amend and re-enact sections 13 and 48 of an act entitled an act for the preservation of oysters and to obtain a revenue for the privilege of taking them from the waters of this commonwealth, approved November 26, 1884, and to amend and re-enact section 17 and repeal sections 39 and 40 of an act entitled an act for the preservation of oysters and to obtain revenue for the privilege of taking them within the waters of this commonwealth, approved March 4, 1884, and to provide for the payment of costs and expenses incurred in the execution of the oyster laws of this commonwealth, approved April 28, 1887.

An act to authorize the board of directors of the penitentiary of Virginia to restore the burnt buildings of that institution and to make an appropriation for the same.

An act for the relief of John A. Roberts and John E. Roberts, of Charlotte county.

An act to amend and re-enact section 6 of an act, approved the 1st day of March, 1886, entitled an act to incorporate the Lynchburg building and loan company.

An act to incorporate the Mount Vernon fire insurance company of Alexandria, Va.

An act to incorporate the Nelson manufacturing company.

An act to incorporate the Lynchburg Baptist seminary.

An act to incorporate the Game Point association.

An act to incorporate the Bank of Richmond.

An act for protection of deer in the counties of Shenandoah and Frederick.

An act to incorporate the Virginia and Pennsylvania iron and coal company.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 428 House bill to allow the citizens of Prince William county to vote on the question of the removal of the courthouse from Brentsville to Manassas, and to enable the corporation of Manassas to issue bonds for the erection of public buildings, in case removal to said corporation be agreed to by majority of voters of Prince William. (Amended.)

No. 395. House bill to repeal section 1168, chapter 48, Code 1887, fixing a limitation on banking associations in discounting accommodation paper to one-tenth part of the capital stock of such association actually paid in.

No. 310. House bill to allow W. B. W. Brooking, late treasurer of Goochland county, and his deputies further time in which to collect levies and taxes already accounted for by him to the auditor of public accounts.

No. 427. House bill to amend and re-enact an act, approved March 3, 1886, entitled an act to authorize the voters of Pittsylvania county to vote for or against the repeal of the present fence law by magisterial districts.

No. 391. House bill to incorporate the Rockbridge fair company.

No. 453. House bill extending the time for one year for the collection of certain taxes and levies by the treasurer of Fluvanna county and his deputies.

No. 279. House bill to incorporate the Southern guarantee and trust company.

No. 446. House bill for the relief of Thomas Owens from the payment of a fine imposed by the county court of Grayson county.

No. 367. House bill to incorporate the Liberty Hill high school.

No. 433. House bill to incorporate the Rosenberger and Shirley telephone company.

No. 437. House bill to change the boundary lines between the counties of Rockbridge and Botetourt, south of James river, and to transfer a small portion of Botetourt county to Rockbridge county.

Nos. 428, 310, 395, 279, 391, 367, 433 and 437. House bills being presently engrossed were, on motions severally made, read a third time this day (two-thirds in the House so determining, respectively) and passed.

Motions severally made to reconsider the votes by which they were passed, were rejected.

No. 301. House bill entitled an act to provide for making, changing and working roads in the county of Rockingham.

The amendments of the Senate were agreed to.

Mr. WEBB severally moved to reconsider the votes by which the amendments of the Senate were agreed to; which motions were rejected.

No. 461. House bill to amend the charter of the town of Charlottesville, was read a second time this day (two-thirds in the House so determining).

The bill was ordered to be engrossed to be read a third time.

The following House engrossed bills were read a third time and passed:

No. 374. House engrossed bill for the protection of sheep in the counties of Bedford and Orange.

No. 237. House engrossed bill to refund certain taxes to R. M. Kirtley erroneously assessed—yeas 59.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Arnold, Baldwin, Bristow, Buford, Carter, Catlett, Coleman, Counts, Craft, Crawford, Dabney, Dickey, Dupuy, Echols, Edwards, Elam, Figgatt, Flood, Hobson, Huffman, Hunter, Jar-

ratt, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Mayo, McNeil, Montague, A. Moore, Jr., William L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Ryan, Sanger, Simpson, Tinsley, Lyon L. Tyler, R. H. Tyler, Waddill, Webb, Wilkins, Williams, Wright and Young—59.

Motions severally made to reconsider the votes by which House engrossed bills Nos. 374 and 237 were passed, were rejected.

No. 439. Senate bill entitled an act to incorporate the Big Stone Gap mining, transportation and development company, was read a third time and passed.

Mr. YOUNG moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 351. Senate bill entitled an act to amend the charter of the Sherwood female seminary, at Staunton, Va., approved May 21, 1887, was read a third time and passed—yeas 53; nays 2.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Arnold, Baldwin, Bristow, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Daingerfield, Dickey, Dupuy, Echols, Edwards, Elam, Hay, Hobson, Huffman, Hunter, Kincheloe, Leggett, Loving, Martin, Mayo, McCandlish, Montague, A. Moore, Jr., Wm. L. Moore, Morton, Overby, Parr, Pedigo, Porter, Quesenberry, Roane, E. L. Roberts, J. Roberts, Sanger, Saunders, Simpson, R. H. Tyler, Waddill, Watkins, Webb, Wilkins, Williams and Young—53.

NAYS—Messrs. D. W. Anderson and Wright—2.

Mr. ECHOLS moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 90. House engrossed bill to amend and re-enact section 1 of an act entitled an act to prohibit the use of pound nets and purse nets in the waters of James and Chickahominy rivers below tidewater, approved May 16, 1887, was read a third time and passed.

Mr. ROBINSON moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 187. House bill, was, on motion of Mr. WADDILL, passed by.

No. 321. House engrossed bill to allow the voters of Berkley magisterial district, Spotsylvania, to vote upon a fence law on certain conditions, came up.

The amendment proposed by the Senate, as follows: Strike out in section 3, line 4, the word "registered"; was disagreed to.

Mr. CRISMOND moved to reconsider the vote by which the amendment was disagreed to; which motion was rejected.

The amendment of the Senate to the following House bills were agreed to.

No. 40. House bill entitled an act to incorporate the Great Southern railway company.

No. 296. House bill entitled an act to incorporate the New River Plateau railway company.

No. 299. House bill entitled an act to amend and re-enact section 614 of chapter 27 of an act entitled an act to revise, arrange and

consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the compensation of county and city treasurers.

Motions severally made to reconsider the votes by which the amendments of the Senate to House bills Nos. 40 and 299 were agreed to, were rejected.

The motion made by Mr. TYLER of *Richmond city* to reconsider the vote by which No. 53, Senate bill entitled an act to establish a Normal school at William and Mary college in connection with its collegiate course, was, on motion Mr. TYLER of *Richmond city*, passed by.

No. 334. Senate bill, was, on motion of Mr. BRISTOW, passed by.

No. 244. House bill appropriating the public revenues for the fiscal years 1888 and 1889, was, on motion of Mr. BUFORD, postponed and made a special continuing order for Monday next at half-past one o'clock P. M.

No. 195. Senate bill entitled an act to amend and re-enact sections 1, 2, 4, 5, 6 and 8 of an act entitled an act to establish a board of river and harbor commissioners for Nansemond river, approved February 9, 1882, was, on motion of Mr. BROWNE of *Nansemond*, postponed and made a special continuing order for Monday next at half-past one o'clock P. M.

No. 363. House bill imposing taxes, &c., was, on motion of Mr. FIGGATT, postponed and made a special continuing order for Monday next at half-past one o'clock P. M.

A message was received from the Senate by Mr. Wickham, who informed the House that the Senate had passed Senate bill entitled an act to give the right of appeal in cattle guard cases, No. 261, in which they respectfully request the concurrence of the House.

The following Senate bills were read a third time and passed:

No. 134. Senate bill entitled an act to incorporate the Virginia immigration land and improvement company.

No. 233. Senate bill entitled an act to release the residue of certain judgments of the commonwealth against John G. Kasey, treasurer of Bedford county, and his sureties—yeas, 59.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Ash, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Magruder, Mayo, McKee, A. Moore, Jr., Morton, Mustain, Overby, Parr, Pedigo, Pilcher, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Simpson, Williams and Young—59.

No. 199. Senate bill entitled an act to provide payment out of the public treasury to Wm. F. Fitzpatrick, deputy sheriff, the amount of expense incurred by him in behalf of the commonwealth—yeas 52.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, W. A. Anderson, Arnold, Ash, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Crawford, Curtis, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Figgatt, Hobson, Huffman, Hunter, Jones, Johnson, Leggett, Loving, Martin, Mayo, McNeil, Montague, A. Moore, Jr., Mustain, Overby, Parr, Pedigo, Pilcher, Quesenberry, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Silver, Simpson, Waddill, Watkins, Webb, Williams and Young—52.

No. 285. Senate bill entitled an act for the relief of tax-payers of Mathews county—yeas 61; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Daingerfield, Dickey, Echols, Edmondson, Edwards, Elam, Figgatt, J. S. Harris, Herring, Huffman, Hunter, Jones, Johnson, Kincheloe, Loving, Martin, Mayo, McNeil, A. Moore, Jr., Morton, Mustain, Overby, Parr, Pedigo, Pilcher, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Simpson, R. H. Tyler, Waddill, Watkins, Webb, Williams, Wright and Young—61.

NAYS—Mr. Treat—1.

No. 88. Senate bill entitled an act to amend the 8th section of an act to incorporate the James River bridge company.

No. 242. Senate bill entitled an act to amend and re-enact sections 13 and 54 of the charter of the city of Manchester.

No. 276. Senate bill entitled an act to enlarge the powers of the Richmond city railway company.

No. 366. Senate bill entitled an act to amend and re-enact sections 1 and 4 of an act entitled an act to incorporate the Bristol-Goodson street railway company.

Motions severally made to reconsider the votes by which Senate bills Nos. 134, 233, 285, 242, 276 and 366 were passed, were rejected.

No. 201. Senate bill entitled an act authorizing Princess Anne county to issue bonds for the purpose of opening certain roads, came up.

The substitute proposed by the committee on roads and internal navigation was agreed to.

The substitute being presently engrossed,

The bill was read a third time and passed.

Mr. LEGGETT moved to reconsider the vote by which the bill was passed; which motion was rejected.

On motion of Mr. HAY, the House adjourned until Monday next at eleven o'clock A. M.

MONDAY, FEBRUARY 27, 1888.

On motion of Mr. PILCHER, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 25, 1888.

The Senate have agreed to the amendments proposed by the House of Delegates to Senate bill entitled an act to provide for working and altering roads and building and repairing bridges in the county of Mecklenburg, No. 319.

They have passed Senate bills entitled an act to amend and re-enact section 3720 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 27, 1887, No. 6; an act making an appropriation to the Eastern lunatic asylum for building purposes, No. 34; an act to amend and re-enact section 3 of the charter of incorporation of the Young men's christian association, of Norfolk and Portsmouth, as granted by the corporation court of the city of Norfolk on the 1st day of July, 1886, No. 135; an act to incorporate the Rising sons and daughters of Job, No. 167; an act providing for the payment of expenses to commission appointed to district the State for lunatics and other laws relative to the government of lunatic asylums, No. 168; an act to prohibit any director or other officer of a lunatic asylum from being interested in certain contracts, No. 191; an act to incorporate the Farmers' benevolent association of Prince Edward, Cumberland and Amelia counties, No. 196; an act for the relief of John Henry Purvis, a lunatic, No. 205; an act to punish the destruction in whole or in part of certain property by the use of dynamite, nitro-glycerine or other explosive substances, No. 332; an act to amend and re-enact sections 7 and 10 of an act, approved February 24, 1886, entitled an act to incorporate the James River and North Carolina railroad company, No. 336; an act to amend and re-enact an act, approved March 24, 1874, entitled an act to prevent the sale of intoxicating liquors to minors, No. 346; an act to extend time to the clerk of Tazewell for collection of fee-bills, No. 381; an act directing the secretary of the commonwealth to affix the seal of the State to certain bonds, No. 387; an act to incorporate Jeffersonville street railway company, No. 409; an act for relief of sureties of C. J. Hill, late treasurer of King William county, No. 413; an act to incorporate the Southern type and electrotype company, No. 418; an act to amend and re-enact section 2 and section 8, chapter 209, Acts of Assembly 1874, entitled an act to establish corporation courts for the cities of Manchester and Winchester, No. 423; an act to incorporate the Northern Virginia Abattoir company, No. 430; an act to amend and re-enact section 3 of chapter 176 of the Acts of Assembly (extra session) 1887, entitled an act to provide for bringing suits against receivers in certain cases, No. 432; an act

to amend the 3d section of an act, approved March 1, 1886, creating the Baldwin fair association, enlarging the powers of the association, &c., No. 441; an act to empower Edmund Pendleton, the clerk of the attorney-general, to appear for the commonwealth in the State and federal courts, No. 447; an act to allow the qualified voters of Drainsville district, in the county of Fairfax, to vote on the question of continuing or repealing the present fence law, No. 451; an act to allow J. W. Overby, late treasurer of Lunenburg county, further time to levy and destrain for uncollected taxes, No. 454; an act to provide for the sale of real estate in the town of Farmville delinquent for the non-payment of taxes due said town, No. 455; an act to provide for the collection of delinquent taxes on real estate due to the town of Farmville for the years 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884 and 1885, No. 459; an act directing the secretary of the commonwealth to affix the seal of the State to a certain deferred debt certificate, No. 463; an act to amend sections 4, 6 and 7 of an act to incorporate the Richmond perpetual building, loan and trust company, approved March 30, 1875, No. 466; an act to incorporate the Manchester fertilizing company, No. 467; an act to provide for the draining of low lands in Palmer's Springs district, in the county of Mecklenburg, No. 471; an act to incorporate the Fairfax and Georgetown turnpike company, No. 473; an act to amend an act entitled an act to amend an act approved April 22, 1882, in force March 17, 1884, approved November 22, 1884, in relation to compensation of clerks of circuit courts, No. 316; and an act to amend and re-enact an act for appointment of powder officer for the harbor of Norfolk and Portsmouth, approved March 3, 1880, as amended by an act, approved March 9, 1880, entitled an act to amend an act, passed February 27, 1880, entitled an act for appointment of powder officer for the harbor of Norfolk and Portsmouth, No. 150.

And they have agreed to Senate joint resolution providing for the appointment of electoral boards in the respective counties and cities of the commonwealth.

In which bills and joint resolution they respectfully request the concurrence of the House of Delegates.

Nos. 135, 191, 205, 418, 430, 441, 451, 454, 455, 459, 463, 466, 471 and 473. Senate bills, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

No. 261. Senate bill entitled an act to give the right of appeal in cattle-guard cases, was read twice and referred to the committee for courts of justice.

The following Senate bills were read twice and referred to committees, as follows:

Nos. 34, 168, 387 and 413, to the committee on finance.

Nos. 6, 261, 316, 346, 381, 423, 432 and 447, to the committee for courts of justice.

Nos. 167, 196, 332, 409 and 467, to the committee on propositions and grievances.

No. 336, to the committee on roads and internal navigation.

No. 150, to the committee on counties, cities and towns.

The following Senate bills were reported from the committee on propositions and grievances:

No. 213. Senate bill entitled an act to incorporate Big Stone Gap water company.

No. 391. Senate bill entitled an act to incorporate the Mutual live stock association of Accomac parish.

No. 277. Senate bill entitled an act to incorporate the Oakwood cemetery company, in the county of Surry.

The following Senate bills were reported from the committee on finance:

No. 347. Senate bill entitled an act to extend the time for the collection of tax-tickets in the hands of J. B. Flippen, late treasurer of Cumberland county.

No. 270. Senate bill entitled an act extending the time for the collection of certain taxes and levies to J. P. Gilliam, treasurer of Chesterfield county.

No. 157. Senate bill entitled an act for the relief of John H. Sears, late treasurer of Mathews county, with an amendment.

No. 293. Senate bill entitled an act for the relief of G. S. Healey, sheriff of Middlesex county, heretofore recommitted, was reported back with an amendment.

No. 347. House bill entitled an act to amend sections 2 and 3 of Fauquier telephone company, was reported from the committee on propositions and grievances.

No. 465. House bill to amend and re-enact sections 147 and 9 and 16 of an act entitled an act for working the public roads of Fairfax county, approved April 28, 1887, reported from the committee on counties, cities and towns, was read a first time.

The following House bills, reported from the committee on finance, were read a first time:

No. 466. House bill to appropriate money to build barracks at the Virginia agricultural and mechanical college.

No. 467. House bill to regulate the practice of veterinary surgeons and farriers, and to impose a license tax on the same.

No. 468. House bill for the relief of George A. Wilson, late treasurer of Norfolk county.

No. 469. House bill to establish a bureau of immigration and to make an appropriation of $10,000 therefor, reported from the committee on immigration, was read a first time.

No. 470. House bill for working and keeping in repair the roads of the county of Dinwiddie, reported from the committee on counties, cities and towns, was read a first time.

No. 471. House bill authorizing the boards of supervisors of Culpepper and Orange counties to increase the pay of county judges,

reported from the committee for courts of justice (with a recommendation that it do not pass).

Mr. WATKINS, under a suspension of the rule, presented

No. 472. House bill to authorize and empower the county court of Halifax to alter and correct the assessment of the lands of Alexander Bruce, in Halifax county, which was read a first time.

Mr. HUNTER, under a suspension of the rule, presented

No. 473. House bill to allow the board of supervisors of Campbell county option to deposit in bank, or let remain as they may think best, all county money that can be set aside as a sinking fund to redeem county bonds, which was read a first time.

No. 474. House bill to incorporate the Washington, Western and Southwestern railroad company, reported from the committee on roads and internal navigation, was read a first time.

No. 475. House bill to incorporate the Virginia trading company, reported from the committee on propositions and grievances, was read a first time.

No. 304. House bill entitled an act to authorize the qualified voters of Warwick county to vote upon the question of the removal of the courthouse of said county, was reported from the committee on counties, cities and towns.

The committee on enrolled bills report that the governor has approved the following bills:

An act granting the superintendent of any fair grounds or cemetery the same powers as a constable for certain purposes in such fair grounds or cemetery.

An act to amend and re-enact section 6 of chapter 323 of the Acts of the General Assembly of Virginia for 1887, and entitled an act to incorporate the Danville Seaboard railroad company.

An act to authorize the county court of Pittsylvania to inquire into the propriety of relieving the estate of Hartwell Farmer, deceased, from an amount of delinquent taxes erroneously paid by the administrator of said decedent.

An act authorizing the deputy treasurers of Caroline and Hanover counties to collect delinquent taxes.

An act for the relief of E. L. Costin, late treasurer of Northampton county.

An act for the relief of Joseph B. Worth of erroneous license tax.

An act to incorporate the Oakwood Hebrew cemetery association.

An act to incorporate the Alexandria gentlemen's driving club.

An act to amend the charter of the city of Richmond by adding additional sections to chapter 4 concerning city officers, so as to provide for the appointment of a board of public interests.

An act to amend and re-enact section 5 of chapter 9 of the charter of the city of Lynchburg.

An act to authorize R. H. Atkinson to erect a pier or wharf on his oyster grounds on Chuckatuck creek.

An act to amend and re-enact section 4 of chapter 331 of Acts of Assembly of 1887, entitled an act to adopt and provide for the publication and distribution of the Code of Virginia, for the preparation and publication of the explanatory notes of the revisors of the Code, and for furnishing the revisors with an office and stationery.

An act to provide compensation to A. Theo. Powell for the prosecution of H. R. Puryear.

An act to amend and re-enact an act entitled an act to prescribe a fence law for Newport News election precinct, in the county of Warwick, approved May 2, 1887, and to add an additional section thereto.

An act to amend and re-enact section 10 of an act, in force February 23, 1882, entitled an act to incorporate the Virginia and Carolina railroad company, amended by an act approved March 6, 1886.

An act for the preservation of certain useful animals and fowls, and to prevent unlawful hunting in the county of Rockingham.

An act to amend and re-enact section 8 of the act, approved March 3, 1884, entitled an act to incorporate the Pittsburgh and Virginia railroad company.

An act to authorize a loan of muskets to the Locust Dale male academy.

An act to remove the political disabilities of Daniel P. Curtis.

An act for the relief of Hughes Dilliard, Jr., from the payment of a fine.

An act for the relief of A. J. Bishop from the payment of a fine.

An act for the protection of deer in the county of Page.

An act to incorporate the trustees of the Mu Sigma Rho literary association of Chesterfield county, Virginia.

An act to amend and re-enact the 1st and 2d sections of an act entitled an act to authorize the council of the town of Gordonsville to issue bonds for the purpose of constructing water-works, approved February 9, 1888.

An act to authorize the supervisors of Amherst county to issue bonds for the purpose of retiring outstanding bonds.

An act to amend and re-enact sections 3 and 6 of an act to incorporate the Martinsburg and Potomac railroad company, approved July 9, 1870.

An act to incorporate the Safety deposit company of Richmond.

An act to amend and re-enact sections 22, 27 and 28 of chapter 181 of the Acts of 1874–'5, so far as they relate to the county of Fluvanna.

An act to provide for a new registration in the city of Staunton.

An act to incorporate the Scott telephone and telegraph company, in the county of Fauquier.

An act to amend the charter of the city of Staunton.

An act to authorize the erection of a Washington Masonic temple in Fredericksburg.

An act to authorize the surviving trustees of the Union academy of Appomattox county to fill vacancies.

An act to incorporate the Farmers' benovelent fire association of Franklin county.

An act to allow the voters in Carrollton precinct, Isle of Wight county, to vote on the adoption of the no-fence law.

An act to incorporate the Hampton and Old Point railway company.

An act for the relief of the tax-payers of Carroll county.

An act to authorize Theodore Haughwont to erect a wharf on Chuckatuck creek.

An act to authorize Theodore Haughwont to erect a pier-head on his oyster grounds on James river.

An act to amend and re-enact section 22 of an act, approved March 8, 1884, entitled an act to provide for the working of public roads and bridges.

An act to provide for a new registration in the city of Manchester and the counties of Chesterfield and Powhatan.

An act to provide for submitting to the qualified voters of the State the question of a constitutional convention.

An act to incorporate the Virginia and North Carolina construction company.

An act to incorporate the Owl club, No. 1, of Norfolk, Va.

An act for working and keeping in repair the roads in Tazewell county.

An act to incorporate the Bessemer steel and iron company.

An act to incorporate the Copperhouk Springs company.

An act to authorize the circuit and corporation courts of this commonwealth to render judgments against receivers and commissioners and purchasers at judicial sales, and their sureties in certain cases.

An act to amend and re-enact sections 2 and 3 of an act to empower the board of supervisors of Bath county to repair a part of the Warm Springs and Huntersville turnpike road, and to borrow money therefor, approved December 1, 1884.

An act to prescribe time for killing partridges in the counties of Accomac, Northampton, Clarke, Smyth, Franklin, Bedford, Amherst and Washington.

An act extending the time to James M. Booth, treasurer of Northumberland county, for the collection of certain taxes and levies.

An act to amend and re-enact sections 3 and 4 of an act entitled an act appropriating the proceeds of the glebe lands and other property belonging to the parishes of Abingdon, Ware and Petsworth, in the county of Gloucester, and for other purposes, passed Jannary 25, 1814.

An act to prevent the granting of unappropriated marsh or meadow lands on the Eastern Shore of Virginia.

The morning hour having expired, the House proceeded to the business on the calendar.

No. 235. House engrossed bill for the relief of Sidney L. Fowlkes, of Nottoway county, from the payment of a fine imposed by the county court of Nottoway, was read a third time and passed—yeas 60; nays 3.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Arnold, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, Buford, Catlett, Coleman, Corbett, Craft, Crawford, Daingerfield, Dickey, Echols, Edwards, Elam, Evans, Figgatt, A. W. Harris, Herbert, Hobson, Huffman, Hunter, Jarratt, Kincheloe, Leggett, Martin, Magruder, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, A. Moore, Jr., Wm. L. Moore, Morton, Mustain, Parr, Pedigo, Pilcher, Porter, Quesenberry, Riner, J. Roberts, Robinson, Sanger, Scott, Simpson, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, Wilkins, Williams, Wright and Young—60.

NAYS—Messrs. Allensworth, D. W. Anderson and Johnson—3.

Mr. ASH moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 442. House bill to amend and re-enact section 2983 of the Code of 1887, in relation to appeals from magistrates, was, on motion of Mr. HAY, committed to the committee for courts of justice.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 165. House bill to secure payment into the treasury of all moneys received for the use of State seals by the several officers of the commonwealth, and to provide a manner for affixing said seals and the penalties thereof. (Amended.)

No. 233. House bill, was, on motion of Mr. HAY, passed by.

No. 308. House engrossed bill to provide for the payment of the members of the special joint committee of the General Assembly of Virginia, acting under resolution of the 8th of February, 1886, and for the payment of the accountant of the said committee, was read a third time and passed—yeas 57; nays 17.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. D. W Anderson, W. A. Anderson, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Coleman, Corbett, Counts, Craft, Crismond, Curtis, Dabney, Daingerfield, Dickey, Edwards, Elam, Evans, Figgatt, Gordon, A. W. Harris, J. S. Harris, Hobson, Hunter, Jarratt, Jones, Leggett, Loving, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, A. Moore, Jr., Parr, Pedigo, Pilcher, Porter, Riner, Roane, E. L. Roberts, Robinson, Sanger, Scott, Simpson, Starke, Tinsley, Lyon G. Tyler, Watkins, Webb, Williams and Young—57.

NAYS—Messrs. Speaker, Arnold, Catlett, Crawford, Echols, Hay, Herbert, Johnson, Magruder, McKee, Mustain, Quesenberry, J. Roberts, Ryan, R. R. Tyler and Wright—17.

Mr. CARTER moved to reconsider the vote by which the bill was passed.

Mr. HAY moved to pass by the motion to reconsider; which was rejected.

The motion to reconsider was rejected.

Ordered, That Mr. CARTER carry the bill to the Senate and request their concurrence.

On motion of Mr. BUFORD:

Resolved, That the privilege of the floor be accorded Sir Thomas Henry Grattan Esmonde, a distinguish member of the British House of Commons, for the city of Dublin, and that during his presence in the House this morning the chair be vacated five minutes to give delegates the opportunity of paying their respects to him.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had agreed to a resolution as follows:

Resolved by the Senate of Virginia (the House of Delegates concurring), That the General Assembly of Virginia has heard, with the most profound regret, of the death of William W. Corcoran, who showed through the course of a long and honorable life that his friendship for this commonwealth was second only to his devotion to charity and his desire to elevate and benefit his brother men. —In which they respectfully request the concurrence of the House.

The resolution was unanimously agreed to.

Ordered, That Mr. CATLETT inform the Senate that the House had agreed to the resolution.

No. 379. Joint resolution in relation to the tariff on lumber, was, on motion of Mr. DABNEY, committed to the committee on federal relations and resolutions—yeas 44; nays 30.

On motion of Mr. TREAT, the vote was recorded as follows:

YEAS—Messrs. Allensworth, Arnold, Baldwin, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Edmondson, Edwards, Figgatt, Flood, Hay, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, Wilkins, Williams and Wright—44.

NAYS—Messrs. Ash, Baskerville, Bristow, John A. Browne, Corbett, Craft, Dickey, Elam, Evans, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, McNeil, Parr, Pedigo, Porter, Quesenberry, Riner, Roane, Sanger, Scott, Tinsley, Treat, Waddill, Webb and Young—30.

No. 289. Senate bill entitled an act to authorize the Petersburg railroad company to lease its road.

On motion of Mr. BUFORD, the bill was amended by adding at end of 1st section the following:

"And provided further, that if any corporation of North Carolina shall lease the railroad property and franchises of the Petersburg railroad company pursuant to the provisions of this act, such North Carolina corporation shall, *ipso facto*, become, so far as concerns its control and operation of such works and property in this State, a corporation of this State."

The amendment being presently engrossed,

The bill was read a third time and passed.

No. 117. Senate bill entitled an act to incorporate the Virginia savings and safe deposit company of Richmond, was read a third time and passed.

Motions severally made to reconsider the votes by which Senate bills Nos. 289 and 117 were passed, were rejected.

No. 398. House bill to provide that the expenses of maintaining the circuit and corporation courts of Danville, Va., shall be defrayed jointly by the town of Danville and the town of North Danville, also that the town of North Danville shall pay to the town of Danville for the privilege of using its jail such compensation as may be agreed on by the two corporations in order to be entitled to the use of the same, was, on motion, read a second time.

Mr. WATKINS offered an amendment in the nature of a substitute.

On motion of Mr. DAINGERFIELD, the bill was committed to the committee on counties, cities and towns.

The hour of half-past one o'clock P. M. having arrived, special order,

No. 244. House bill appropriating the public revenues for the fiscal years 1888 and 1889, was read a second time.

Mr. MAGRUDER offered an amendment as follows:

Add at end of second section the following—viz.: "The sum of $533,185.85 as the first item to be paid out of the revenue for each of the two years herein provided for, and out of said sum of $533,185.85 shall be paid—first, the interest on the bonds funded under the said act of February 14, 1882, held by others than the State; second, the interest on the bonds funded under said act held by the State; and, third, the residue thereof to be invested by the commissioners of the sinking fund as hereinafter provided."

Pending which,

On motion of Mr. BUFORD, the bill was postponed until to-morrow.

Special order,

No. 195. Senate bill entitled an act to amend and re-enact sections 1, 2, 4, 5, 6 and 8 of an act entitled an act to establish a board of river and harbor commissioners for Nansemond river, approved February 9, 1882, was read a third time and passed.

Mr. BROWNE of *Nansemond* moved to reconsider the vote by which the bill was passed; which motion was rejected.

The amendments of the Senate to the following House bills were agreed to:

No. 347. House bill entitled an act to amend sections 2 and 3 of Fauquier telephone company.

No. 304. House bill entitled an act to authorize the qualified voters of Warwick county to vote upon the question of the removal of the courthouse of said county.

Mr. KINCHELOE moved to reconsider the vote by which the amendment of the Senate to House bill No. 347 was agreed to; which motion was rejected.

On motion of Mr. FIGGATT, so much of the resolution as requires the calendar to be called in regular order be suspended for this day.

On motion of Mr. FIGGATT, the House proceeded to the consideration of House engrossed bills.

The following House engrossed bills were read a third time and passed:

No. 365. House engrossed bill to require the judge of Mecklenburg county to submit the question of continuing or repealing the present fence law to the qualified voters of any magisterial district or districts in said county.

No. 221. House engrossed bill to secure to clerks, agents, workmen, servants and employees of every grade of service a lien upon the property of the person, firm or corporation for whom they work, in the event of the failure or insolvency of such person, firm or corporation refusing to pay the amount due to such clerk, agent, workman, servant or employee.

On motion of Mr. WADDILL, the title was amended so as to read as follows:

"To secure to clerks, agents, workmen, servants and employees of every grade of service a lien upon the property of the person, firm or corporation for whom they work, in the event of the failure, assignment or insolvency of such person, firm or corporation."

No. 198. House engrossed bill to prohibit fishing in the waters of the north fork of Holstein river by seines and traps, or by poisoning or by killing with dynamite.

No. 366. House engrossed bill to allow the district school board of Buchanan district, Botetourt county, to purchase Blue Ridge hall and for conveyance of same.

Motions to reconsider the votes by which House bills Nos. 356, 221, 198 and 366 were passed, were rejected.

Ordered, That Mr. TREAT carry House bill No. 198 to the Senate and request their concurrence.

No. 360. House engrossed bill authorizing the board of supervisors of Norfolk county, in their discretion, to pay over to the city collector of Norfolk city, for the use of Brambleton ward, in said city, a portion of the taxes collected from citizens of said ward by the treasurer of Norfolk county for the year 1887.

No. 401. House engrossed bill to extend the time of settlement for Jno. C. Gray, treasurer of Washington county.

No. 365. House engrossed bill to incorporate the Fauquier and Rappahannock railroad company.

No. 171. House engrossed bill to amend section 26 of an act entitled an act to provide for working and keeping in repair the public roads of Botetourt.

No. 261. House engrossed bill to provide for the collection of delinquent taxes on the real estate due to the town of Farmville for the years 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884 and 1885.

No. 226. House engrossed bill to submit the question of increasing the levy for district school purposes, including lengthening of

school term, to the qualified voters of Occoquan district, Prince William county.

No. 346. House bill to exempt the property of the International committee of the young men's christian association, located at the University of Virginia, from taxation—yeas 63; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Ash, Baldwin, Bristow, John A. Browne, Buford, Carter, Coleman, Craft, Crawford, Crismond, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Evans, Figgatt, Gordon, A. W. Harris, J. S. Harris, Hay, Herbert, Herring, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Martin, Mayo, McCandlish, McNeil, Montague, A. Moore, Jr., Wm. L. Moore, Overby, Pedigo, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Robinson, Ryan, Simpson, Starke, Terrell, R. H. Tyler, Waddill, Watkins, Williams, Wright and Young—63.

NAYS—Mr. McKee—1.

Motions severally made to reconsider the vote by which House engrossed bills Nos. 227, 346, 261, 360 and 171 were passed, were rejected.

The hour of half-past two o'clock P. M. having arrived, the chair was vacated until half-past four o'clock P. M.

EVENING SESSION.

The chair was resumed at half-past four o'clock P. M.

The following House engrossed bills were read a third time and passed:

No. 453. House engrossed bill extending the time for one year for the collection of certain taxes and levies by the treasurer of Fluvanna county and his deputies.

No. 427. House engrossed bill to amend and re-enact an act, approved March 3, 1886, entitled an act to authorize the voters of Pittsylvania county to vote for or against the repeal of the present fence law by magisterial districts.

No. 385. House engrossed bill to allow John R. Alrich further time to collect certain tax-tickets.

No. 461. House engrossed bill to amend the charter of the town of Charlottesville.

No. 359. House engrossed bill to incorporate the town of Windsor, in the county of Isle of Wight.

Motions severally made to reconsider the votes by which House engrossed bills Nos. 453, 427, 385, 461 and 359 were passed, were rejected.

The following Senate bills were read a third time and passed:

No. 213. Senate bill entitled an act to incorporate Big Stone Gap water company.

No. 394. Senate bill entitled an act to incorporate the Sun mutual aid association.

No. 459. Senate bill entitled an act to provide for the collection of delinquent taxes on real estate due to the town of Farmville for the years 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884 and 1885.

No. 457. Senate bill entitled an act to incorporate the Big Stone Gap construction company.

No. 354. Senate bill entitled an act to amend and re-enact sections 1 and 10 of an act entitled an act to incorporate the Surry and Smithfield railroad company, approved March 6, 1886.

No. 373. Senate bill entitled an act to amend and re-enact section 10 of chapter 125 of an act to incorporate the West Norfolk and Carolina railroad company, approved May 2, 1877.

No. 327. Senate bill entitled an act to incorporate the Virginia under-ground electrical conduit company.

No. 455. Senate bill entitled an act to provide for the sale of real estate in the town of Farmville delinquent for the non-payment of taxes due said town.

No. 454. Senate bill entitled an act to allow J. W. Overby, late treasurer of Lunenburg county, further time to levy and distrain for uncollected taxes.

No. 424. Senate bill entitled an act to incorporate the Ivanwold hotel and ferry company.

No. 380. Senate bill entitled an act to allow W. G. Miller, treasurer of Rappahannock county, and his sureties twelve months to collect any uncollected tax-tickets in their hands and not returned delinquent for 1882, 1883, 1884, 1885 and 1886.

No. 466. Senate bill entitled an act to amend sections 4, 6 and 7 of an act to incorporate the Richmond perpetual building, loan and trust company, approved March 30, 1875.

No. 441. Senate bill entitled an act to amend the 3d section of an act, approved March 1, 1886, creating the Baldwin fair association, enlarging the power of the association, &c.

No. 212. Senate bill entitled an act to incorporate the Seaboard water company.

No. 463. Senate bill entitled an act directing the secretary of the commonwealth to affix the seal of the State to a certain deferred debt certificate.

No. 33. Senate bill entitled an act to incorporate the Bristol and South Atlantic railroad company.

The amendments proposed by the committee on roads and internal navigation were agreed to.

The amendments being presently engrossed,

The bill was read a third time and passed.

Motions severally made to reconsider the votes by which Senate bills Nos. 213, 394, 459, 457, 354, 373, 327, 455, 454, 424, 466, 441, 212, 463 and 33 were passed, were rejected.

No. 471. Senate bill entitled an act to provide for the draining of low lands in Palmer's Springs district, in the county of Mecklenburg.

On motion of Mr. BASKERVILLE, the bill was amended as follows: Second section, 1st line, after "springs" insert, "Flat creek"; 4th line, 1st section, insert after "and" the words, "Miles creek."

The bill was ordered to its third reading.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 416. House bill to abolish compulsory labor upon the public roads in the county of Smyth.

No. 320. House bill providing a premium for the scalps of foxes, hawks, owls, minks and weasels in the county of Caroline. (Amended).

No. 394. House bill to incorporate the town of Estellville, in the county of Scott.

No. 456. House bill to incorporate the building association of American lodge, No. 1789, Grand united order of Odd-Fellows of the city of Richmond.

No. 430. House bill to amend and re-enact section 3 of an act entitled an act to incorporate the Shenandoah Valley railroad company and to issue preferred stock or convertible under any plan of reorganization thereof, approved May 2, 1887.

No. 464. House bill to incorporate the Fincastle telephone and telegraph company.

No. 439. House bill to define and extend the powers of the council of the city of Portsmouth.

No. 351. House bill to incorporate the Southern paper and pulp company.

No. 460. House bill to provide for a new registration of voters for Roanoke City. (Amended).

On motion of Mr. ALLENSWORTH, the title of House bill No. 320 was amended so as to include "Northampton."

Nos. 320, 394, 456, 430, 464, 439 and 351, being presently engrossed, were, on motions severally made, read a third time this day, respectively, and passed.

Motions severally made to reconsider the votes by which House bills Nos. 320, 394, 456, 430, 439 and 351 were passed, were rejected.

On motion of Mr. CATLETT, the House adjourned until to-morrow at eleven o'clock A. M.

TUESDAY, FEBRUARY 28, 1888.

On motion of Mr. MARTIN, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 27, 1888.

The Senate have passed House bills entitled an act to amend and re-enact section 4 of an act entitled an act to regulate the practice of medicine and surgery, approved January 31, 1884, No. 137; an act to allow W. B. W. Brooking, late treasurer of Goochland county, and his deputies further time in which to collect levies and taxes already accounted for by him to the auditor of public accounts, No. 310; an act giving P. D. Divers, late treasurer of Franklin county, and his deputies power of levy and distress to collect certain uncollected tax-tickets now in his hand, No. 399; an act to incorporate Liberty Hill high school, No. 367; and an act to refund certain taxes to R. M. Kirtley erroneously assessed, No. 237.

They have receded from their amendment to House bill entitled an act to allow the voters of Berkley magisterial district, Spotsylvania, to vote upon a fence law on certain conditions, No. 321.

They have agreed to the substitute proposed by the House of Delegates to Senate bill entitled an act authorizing Princess Anne county to issue bonds for the purpose of opening certain roads, No. 201.

They have passed Senate bills entitled an act to repeal the charter of the town of Emporia, approved April 28, 1887, No. 375; an act to amend and re-enact section 10, chapter 196, Acts 1883–'4, in relation to working the roads, repairing bridges and opening new roads in the counties of Frederick, Clarke, Warren and Augusta, No. 356; and an act to exempt from taxation the Piper's charity school fund, of the county of Accomac, No. 474.

They have agreed to preamble and joint resolution instructing our senators and requesting our representatives in Congress to urge upon that body the necessity of a better military defense of the Chesapeake bay; joint resolution directing the printing of the report of the commissioners to fix the boundary line between Maryland and Virginia; and a joint resolution in relation to supplies to asylums.

In which bills and joint resolutions they respectfully request the concurrence of the House of Delegates.

No. 375 and 474. Senate bills, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to a committee.

Senate joint resolution in relation to supplies to asylums, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. WADDILL, requiring its reference to a committee.

No. 356. Senate bill, was read twice and referred to the commitee on counties, cities and towns.

Senate preamble and joint resolution instructing our senators and requesting our representatives in Congress to urge upon that body the necessity of a better military defense of the Chesapeake bay, was read twice and referred to the committee on federal relations and resolutions.

Senate joint resolution providing for the appointment of electoral boards in the respective counties and cities of the commonwealth, was, on motion of Mr. HAY, committed to the committee on privileges and elections.

Senate joint resolution as follows, came up:

Resolved by the Senate (the House of Delegates concurring), That one thousand copies of the report and accompanying papers of the commissioners to fix the boundary line between Maryland and Virginia, be printed in pamphlet form for distribution.

On motion of Mr. POLLARD, the resolution was amended by striking out "one thousand" and inserting "two hundred and fifty."

The Senate resolution, as amended, was agreed to.

Mr. POLLARD moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. POLLARD carry the resolution to the Senate and request their concurrence in the amendment of the House.

The following Senate bills were reported from the committee on roads and internal navigation:

No. 417. Senate bill entitled an act to prescribe the manner by which any internal improvement company may elect a part of its board of directors for a period of more than one year.

No. 92. Senate bill entitled an act to incorporate the West Norfolk land and improvement company.

The following Senate bills were reported from the committee for courts of justice:

No. 261. Senate bill entitled an act to give the right of appeal in cattle-guard cases.

No. 266. Senate bill entitled an act to amend and re-enact section 904, chapter 39 of Code 1887, in relation to distress and levy (with an amendment).

No. 433. Senate bill entitled an act to authorize the trustees of the Christian church at Chatham, Va., to borrow money to complete their church.

No. 381. Senate bill entitled an act to extend time to clerk of Tazewell county for collection of fee-bills (with an amendment that it do not pass).

The following Senate bills were reported from the committe on finance:

No. 218. Senate bill entitled an act to refund to F. Y. Chaney, of Halifax county, certain license tax paid by him.

No. 376. Senate entitled an act to authorize the register of the land office to have certain plats and surveys recorded and indexed.

No. 387. Senate bill entitled an act directing the secretary of the commonwealth to affix the seal of the State to certain bonds.

No. 476. House bill to amend the charter of the Valley railroad company, reported from the committee on roads and internal navigation, was read a first time.

No. 435½. Senate bill entitled an act to amend and re-enact section 22 of chapter 181 of the Acts of Assembly of 1874–'5, to provide for working and keeping in order the roads of the commonwealth, approved March 20, 1875, so far as it applies to Northumberland county, was reported from the committee on counties, cities and towns.

No. 477. House bill to define lawful fences along the public highways in the county of Frederick, reported from the committee on counties, cities and towns, was read a first time.

The following House bills, reported from the committee on finance, were read a first time:

No. 478. House bill for the relief of Sam'l L. Slusser, of Rockingham county.

No. 479. House bill for the relief of Wm. F. Grizzle, late treasurer of Dickenson county.

No. 480. House bill to authorize attorneys for the commonwealth to make compromises in certain proceedings for the verification of coupons.

Mr. STARKE, under a suspension of the rule, presented

No. 481. House bill to incorporate the Grand camp Confederate veterans' department of Virginia, which was read a first time.

Mr. MOORE of *Clarke and Warren* offered the following resolution:

Whereas it appears from the answer of the public printer to a resolution of this House, calling for certain information touching the report of visitors to the Virginia military institute for the year 1887, that one hundred copies of said report were sent to General Francis H. Smith, superintendent of the Virginia military institute; therefore, be it

1. Resolved, That General Smith be requested to deliver at the earliest day practicable, to the clerk of this House, all of said copies now in his possession.

2. That a copy of this resolution be served on General Smith by the sergeant-at-arms of this House, if he is in the city, and if not, that it be transmitted to him by mail.

The House refused to refer the resolution to a committee.

The resolution was agreed to.

The following were presented and referred under Rule 37:

By Mr. WATKINS: A bill to incorporate the Clinch Valley mining and manufacturing company. Referred to the committee on propositions and grievances.

By Mr. EDMONDSON: Joint resolution preventing the sale of dead beef coming from the Western States for a period of two years from

this date to any citizen of this State. Referred to the committee on propositions and grievances.

By Mr. BUFORD: A bill to incorporate the Falling Creek railroad company. Referred to the committee on roads and internal navigation.

By Mr. SEBRELL: Petition of citizens of Southampton county in relation to physiological temperance instruction in public schools. Referred to the committee on schools and colleges.

By Mr. SILVER: Petition of certain citizens of Winchester in relation to the jurisdiction of the corporation court of said city. Referred to the committee for courts of justice.

The morning hour having expired, the House proceeded to the business on the calendar.

Senate joint resolution transferring a certain claim of the State of Virginia against the government of the United States to the Mount Vernon avenue association, chartered by this State.

On motions severally made by Mr. CORBETT, the joint resolution was amended as follows:

Strike out the 27th, 28th, 29th, 30th and 31st lines of the preamble.

Section 2, line 1, after the word "payment" insert, "To any lawfully-appointed agent of the State of Virginia now in charge of said claim of such commission as he is entitled to receive."

In section 2, line 2, strike out "aforesaid to said special agent."

The joint resolution was ordered to its third reading.

No. 386 Senate bill entitled an act for the relief of J. J. Heuritze, late treasurer of Russell county and his sureties, was read a third time and passed—yeas 53: nays 3.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, Arnold, Ash, Baldwin, Bristow, Buford, Carter, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Curtis, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Evans, Figgatt, Graves, Hobson, Huffman, Hunter, Kincheloe, Leggett, Loving, Mayo, Montague, A. Moore, Jr., Wm. L. Moore, Mustain, Overby, Parr, Perkins, Pilcher, Pollard, Riner, E. L. Roberts, Robinson, Saunders, Sebrell, Simpson, Spencer, Starke, Terrell, R. H. Tyler, Waddill, Williams, Wright and Young—53.

NAYS—Messrs. Gordon, J. S. Harris and Johnson—3.

Mr. SEBRELL moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 170. House bill to provide for abating public nuisances and for recovering damages for injury caused thereby (amended), was read a second time, amended and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. CATLETT moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed.

On motion of Mr. CATLETT, the title was amended so as to read as follows: "To provide for abating public nuisances and for disposing of fines imposed therefor."

Mr. CATLETT moved to reconsider the vote by which the bill was passed; which motion was rejected.

A message was received from the Senate by Mr. Staples, who informed the House that the Senate had passed No. 157, House bill to incorporate the Midlothian coal company, with amendments; in which they respectfully request the concurrence of the House.

No. 225. House bill to amend and re-enact sections 2475 and 2477 of chapter 110 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the lien of vendors, mechanics and others, was read a second time.

Pending which,

The hour of half-past one o'clock having arrived, special order,

No. 244. House bill appropriating the public revenues for the fiscal years 1888 and 1889, came up.

Mr. ANDERSON of *Rockbridge* offered a substitute for the amendment offered by Mr. MAGRUDER.

The substitute offered by Mr. ANDERSON of *Rockbridge* is as follows:

Strike out section 2 of the bill and insert in lieu thereof, the following:

2. The sum of $641,874.96 for the fiscal year 1888, and the same sum for the fiscal year 1889, are hereby appropriated and shall be applied as follows:

First. To pay the semi-annual interest upon the bonds of the State, issued under the act approved Febuary 14, 1882, held by parties other than the State.

Second. To pay the interest upon such of said bonds as are held by the literary fund.

Third. To pay the interest upon such of said bonds as are held by the board of commissioners of the sinking fund and by the board of public works.

Fourth. To constitute a fund to provide for the payment of the interest upon the unfunded debt of the State, when the same shall be funded, and to be invested by the commissioners of the sinking fund in accordance with the provisions of the following sections of this act.

—Which was agreed to.

Mr. FIGGATT moved to amend the bill by adding at end of 194 line, page 4, at end of 150 line, page 15, the following: "To the Virginia agricultural and mechanical college: $15,000 for the erection of barracks"; which was rejected—yeas 19; nays 60.

The vote required by Rule No. 75 was recorded as follows:

YEAS—Messrs. W. A. Anderson, Arnold, Curtis, Dupuy, Evans, Figgatt, Huffman, Hunter, Mayo, J. E. Moore, Riner, Sanger, Starke, Terrell, Tinsley, Lyon G. Tyler, West, Wilkins and Williams—19.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, Ash, Baldwin, Barbour, Bristow, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Daingerfield, Dickey, Echols, Edmondson, Elam, Flood, Gordon, Graves, J. S. Harris, Hay, Herring, Hobson, Jarratt, Jones, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, Montague, William L. Moore, Mustain, Overby, Parr, Pedigo, Perkins, Pilcher, Pollard, Porter, Quesenberry, Roane, E. L. Roberts, Robinson, Ryan, Sebrell, Silver, Simpson, Spencer, R. H. Tyler, Watkins, Webb and Wright—60.

Mr. HAY moved to strike out line 25, page 2, and line 12, page 9, and insert, "Clerk to the board of public works, board of indemnity, board of Chesapeake and its tributaries, board of sinking fund commissioners, $850, the said clerk to be appointed by the board of public works"; which was agreed to.

Mr. POLLARD moved to amend the bill by adding at the end of line 70, page 4, the following: "Of which not less than $3,500 shall be expended for repairs and equipments to said college"; which was agreed to.

Mr. POLLARD moved to add at the end of line 71, page 4, the words, "To be paid out of the military fund"; which was agreed to.

Mr. ELAM moved to strike out lines 143, 144 and 145 on page 7; which was rejected.

The hour of half-past two o'clock P. M. having arrived, the chair was vacated until half-past four o'clock P. M.

EVENING SESSION.

The chair was resumed at half-past four o'clock P. M.

On motion of Mr. MOORE of *Pulaski and Giles*, the calendar was postponed for one minute.

Mr. MOORE, under a suspension of the rule, presented

No. 482. House bill to remove the political disabilities of W. S. Mathews and others, which was read a first time.

The House resumed the business on the calendar.

The following Senate bills were read a third time and passed:

No. 182. Senate bill entitled an act to grant the right and privilege for a period of twenty years of occupancy of certain flats and water fronts on James river upon certain conditions.

No. 270. Senate bill entitled an act extending the time for the collection of certain taxes and levies to J. P. Gilliam, treasurer of Chesterfield county.

No. 430. Senate bill entitled an act to incorporate the Northern Virginia abattoir company.

No. 375. Senate bill entitled an act to repeal the charter of the town of Emporia, approved April 28, 1887.

No. 465. Senate bill entitled an act to incorporate the Shenandoah driving park.

No. 360. Senate bill entitled an act to incorporate the Old Dominion boom and log company.

No. 391. Senate bill entitled an act to incorporate the Mutual live stock association of Accomac parish.

No. 471. Senate bill entitled an act to provide for the draining of low lands in Palmer's Springs district, in the county of Mecklenburg.

No. 473. Senate bill entitled an act to incorporate the Fairfax and Georgetown turnpike company.

No. 230. Senate bill entitled an act to authorize the sale of certain real estate now held by the county school board of King and Queen county, and to provide for the investment of the proceeds of sale.

No. 92. Senate bill entitled an act to incorporate the West Norfolk land and improvement company.

No. 431. Senate bill entitled an act to authorize conveyances by the county of Frederick and the city of Winchester to each other of certain rights in the public square situated in Winchester.

No. 438. Senate bill entitled an act to authorize the trustees of Diamond Hill Baptist church of Lynchburg to borrow money and secure the same by deed of trust.

No. 403. Senate bill entitled an act authorizing and empowering the councils of the city of Norfolk to issue bonds for the purpose of erecting a city market-house.

No. 435½. Senate bill entitled an act to amend and re-enact section 22 of chapter 181 of the Acts of Assembly of 1874–'5, to provide for working and keeping in order the roads of the commonwealth, approved March 20, 1875, so far as applies to Northumberland county.

No. 97. Senate bill entitled an act authorizing O. D. Lewis to redeem certain lots in the town of West Point, Virginia, sold for delinquent taxes—yeas 53.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Buford, Carter, Catlett, Coleman, Craft, Crawford, Dabney, Daingerfield, Dickey, Dupuy, Edmondson, Edwards, Graves, J. S. Harris, Herbert, Huffman, Hunter, Kincheloe, Leggett, Martin, McCandlish, McClintic, McNeil, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Pilcher, Pollard, Roane, Ryan, Sanger, Saunders, Sebrell, Silver, Spencer, Starke, Terrell, Treat, R. H. Tyler, Webb, West, Wright and Young—53.

No. 405. Senate bill entitled an act to amend an act to authorize the city of Fredericksburg and certain districts in Stafford and

King George counties to purchase or lease Scott's bridge and make the same a free bridge, was, on motions severally made by Mr. CRISMOND, amended.

The bill was ordered to its third reading.

No. 381. Senate bill entitled an act to extend time to clerk of Tazewell county for collection of fee-bills, was, on motion of Mr. MOORE of *Tazewell*, amended.

The bill was ordered to its third reading.

The amendment being presently engrossed,

The bill was read a third time and passed.

No. 450. Senate bill entitled an act to provide for a new registration in the county of Louisa, was, on motion of Mr. MORTON, amended.

The amendment being presently engrossed,

The bill was read a third time and passed.

No. 231. Senate bill entitled an act to incorporate the Norma iron railroad company.

The amendments proposed by the committee on roads and internal navigation were agreed to.

The bill was ordered to its third reading.

Motions severally made to reconsider the votes by which Senate bills Nos. 270, 182, 430, 435½, 375, 465, 381, 450, 391, 360, 471, 473, 230, 92, 431, 403, 438 and 97 were passed, were rejected.

The following House engrossed bills were read a third time and passed:

No. 389. House engrossed bill to repeal chapter 149 of the Acts of the extra session of 1884, entitled an act for the protection of fish in Back bay, in Princess Anne county, Va., approved November 27, 1884.

No. 416. House engrossed bill to abolish compulsory labor upon the public roads in the county of Smyth.

No. 412. House engrossed bill to relieve Rev. Isaac Long, of Rockingham county, of taxes improperly paid by him—yeas 59; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Ash, Baskerville, Carter, Catlett, Coleman, Counts, Craft, Crawford, Dabney, Daingerfield, Dickey, Edmondson, Edwards, Elam, Figgatt, Graves, J. S. Harris, Herbert, Huffman, Hunter, Kincheloe, Leggett, Martin, Magruder, McCandlish, McClintic, McKee, A. Moore, Jr., J. E. Moore, William L. Moore, Mustain, Overby, Parr, Pedigo, Perkins, Pollard, Porter, Quesenberry, Roane, E. L. Roberts, Ryan, Sanger, Saunders, Sebrell, Silver, Spencer, Starke, Terrell, Tinsley, Treat, R. H. Tyler, Webb, West, Williams, Wright and Young—59.

NAYS—Mr. Johnson—1.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 380. House bill to incorporate the Commercial club of Berkley, Norfolk county, Va.

No. 436. House bill to amend section 1 of an act entitled an act to authorize the mayor and common council of the town of Chatham, in the county of Pittsylvania, to borrow money, approved 18th January, 1888.

No. 409. House bill to authorize T. E. Henshaw to place a boom in Mattaponi river.

No. 335. House bill extending the time for collecting taxes to James A. Tilman, late treasurer of Powhatan county.

No. 400. House bill to amend and re-enact the 23d section of an act entitled an act to provide for the working of the roads in the county of Washington, approved March 29, 1887.

No. 413. House bill to empower the trustees of the district school board of Gills Creek and Black Water school districts, Franklin county, to use any surplus county public school funds belonging to said district for the purpose of purchasing or erecting buildings for school purposes, or discharging any indebtedness of the said districts.

No. 474. House bill to incorporate the Washington, Western and Southwestern railroad company. (Amended.)

No. 434. House bill to relieve Levi Midkiff, sureity of Taylor Midkiff.

Nos. 380, 436, 409 and 335 being presently engrossed, were, on motions severally made, read a third time this day (two-thirds in the House so determining, respectively) and passed.

Motions severally made to reconsider the votes by which House bills Nos. 380, 436, 409 and 335 were passed, were rejected.

No. 443. House bill to incorporate the Free bridge company, was read a second time and amended.

Mr. HERBERT moved to commit the bill to the committee on roads and internal navigation; which was rejected.

The bill was ordered to be engrossed to be read a third time.

No. 435. House bill to relieve Andrew Rodgers from the payment of a license tax for peddling in the county of Pulaski, was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. MOORE of *Pulaski and Giles* moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 61.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, W. A. Anderson, Ash, Baskerville, Carter, Catlett, Coleman, Corbett, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Echols, Edmondson, Edwards, Elam, Flood, Graves, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Martin, McNeil, Montague, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Pilcher, Pollard, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Ryan, Sanger, Saunders, Sebrell, Spencer, Starke, Tinsley, R. H. Tyler, West, Williams, Wright and Young—61.

Mr. MOORE of *Pulaski* moved to reconsider the vote by which the bill was passed; which motion was rejected.

On motion of Mr. WEBB, the House adjourned until to-morrow at eleven o'clock A. M.

WEDNESDAY, FEBRUARY 29, 1888.

On motion of Mr. WEBB, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 28, 1888.

The Senate have passed House bills entitled an act to repeal section 1168, chapter 48, Code 1887, fixing a limitation on banking associations in discounting accommodation paper to one-tenth part of the capital stock of such association actually paid in, No. 395; an act to amend and re enact section 2042 of the Code of 1887, in relation to trespass by cattle, &c., No. 108; an act to allow the citizens of Prince William county to vote on the question of the removal of the courthouse from Brentsville to Manassas, and to issue bonds for erection of public buildings in case removal to said corporation be agreed to by a majority of the voters of Prince William, No. 428; an act to amend the charter of the town of Charlottesville, No. 461; an act to authorize clerks of circuit courts to take acknowledgments to deeds and other writings and to certify the same, No. 127; an act to amend and re-enact section 3657 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, No. 214; an act for the relief of Sidney S. Fowlkes, of Nottoway county, from the payment of a fine imposed by the county court of Nottoway, No. 235; and an act to amend and re-enact section 1 of an act entitled an act to prohibit the use of pounds nets and purse nets in the waters of James and Chickahominy rivers below tidewater, approved May 16, 1887, No. 90.

They have passed, with an amendment, House bill entitled an act providing for the sub-division of tracts of land into lots or parcels and for the record of plats thereof, No. 134.

They have indefinitely postponed House bill entitled an act to provide for the collection of delinquent taxes on real estate due to the town of Farmville for the years 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884 and 1885, No. 261.

They have agreed to the amendments proposed by the House of Delegates to Senate bills entitled an act to authorize the Petersburg railroad company to lease its road, No. 289; and an act to incorporate the Bristol and South Atlantic railroad company, No. 33.

They have agreed to the amendment proposed by the House of Delegates to Senate joint resolution directing the printing of the report of the commissioners to fix the boundary line between Maryland and Virginia.

They have passed Senate bills entitled an act providing final compensation to the revisors of the Code and their clerk, No. 483; an act for the reimbursement of Richard E. Frayser for money expended by him in behalf of the commonwealth, No. 305; an act to incorporate the Newport News, Hampton and Old Point Comfort telephone company, No. 278; an act to incorporate the Danville real estate investment, trust and land title company, No. 448; an act to amend and re-enact section 2, chapter 196, Acts 1883–'84, entitled an act to provide for working the roads, repairing bridges and opening new roads in the counties of Frederick, Clarke, Warren and Augusta, No. 460; and an act to authorize the United States government to acquire title and jurisdiction to lands at the mouth of Chesapeake bay for sites for fortifications for the defense thereof, No. 236.

In which amendments and bills they respectfully request the concurrence of the House of Delegates.

Nos. 460, 448, 278 and 305. Senate bills, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

No. 236. Senate bill, was read twice and referred to the committee on federal relations and resolutions.

No. 483. Senate bill, was read twice and referred to the committee on finance.

No. 157. House bill entitled an act to incorporate the Midlothian coal company, was placed on the calendar, the rule having been suspended on motion of Mr. HERRING, requiring its reference to a committee.

The following Senate bills were reported from the committee on propositions and grievances:

No. 167. Senate bill entitled an act to incorporate the Rising sons and daughters of Job.

No. 196. Senate bill entitled an act to incorporate the Farmers' benevolent association of Prince Edward, Cumberland and Amelia counties.

No. 374. Senate bill entitled an act to incorporate the Alexandria perpetual building fund association, with an amendment.

Senate joint resolution providing for the appointment of electoral boards in the respective counties and cities of the commonwealth, was reported from the committee on privileges and elections, with amendments.

No. 483. House bill to amend and re-enact section 13 of an act, approved April 28, 1887, entitled an act to amend and re-enact an

act of November 26, 1884, for the preservation of oysters, &c., reported from the committee on Chesapeake and its tributaries, was read a first time.

No. 484. House bill to amend and re-enact section 1074, chapter 46, Code of 1887, in relation to examining and surveying lands for internal improvements, reported from the committee for courts of justice, was read a first time.

No. 485. Joint resolution in regard to memorializing Congress as to the public debt of Virginia, reported from the committee on federal relations and resolutions, was read a first time.

No. 486. House bill to incorporate the Clinch Valley mining and manufacturing company, reported from the committee on propositions and grievances, was read a first time.

The following House bills reported from the committee on counties, cities and towns, were read a first time:

No. 487. House bill to prohibit the city of Richmond from imposing or collecting any tax or other penalty upon any person selling their own farm and other domestic products within the limits of said city to any huckster, green grocer, commission merchant or other person except to the consumer directly retail, outside of and from under the regular market-houses and sheds of said city.

No. 488. House bill to amend and re-enact section 11 of an act entitled an act to provide for the working of the roads in Cumberland county, approved May 10, 1887.

No. 489. House bill to amend and re-enact sections 14, 16, 17 and 19 of an act entitled an act to amend and re-enact the charter of the town of North Danville, approved March 7, 1884.

Mr. PEDIGO, under a suspension of the rule, presented

No. 490. House bill to provide for removing obstruction from Sandy river, in Prince Edward county, which was read a first time.

Mr. DUPUY, under a suspension of the rule, presented

No. 491. House bill to provide for removing obstruction from Sandy river, in Prince Edward county, which was read a first time.

Mr. STARKE moved that the committee on roads and internal navigation be discharged from the further consideration of House bill to authorize J. S. Darling, D. G. Marrow and others to construct a bridge across the northwest branch of Hampton river; which motion was agreed to.

The bill (No. 492) was placed on the calendar and read a first time.

Mr. STARKE, under a suspension of the rule, presented

No. 493. House bill to authorize the trustees of Centenary church, of the Methodist Episcopal church, South, at Norfolk, to sell the church property owned by them in the city of Norfolk, which was read a first time.

Mr. SAUNDERS, under a suspension of the rule, presented

No. 494. House joint resolution providing for secretaries to sundry boards at the capitol, which was read a first time.

Mr. ECHOLS offered the following resolution:

Resolved, That after this day the House shall meet at ten o'clock A. M. and the chair shall be vacated at half-past two P. M. and resumed at half-past seven P. M.; that on and after this day after the morning hour and until half-past twelve P. M. of the morning session and until half-past eight P. M. of the evening session the call of the roll shall be proceeded with and each member, as his name is called, shall be at liberty to call up a private or local bill or a public bill; but after half-past twelve P. M. of the morning session and after half-past eight P. M. of the evening session the business of the House shall be proceeded with under the general rules of the House.

On motion of Mr. SAUNDERS, the resolution was amended so as to read as follows:

Resolved, That after this day the House shall meet at ten o'clock A. M.

The resolution, as amended, was agreed to.

Mr. HAY offered the following resolution:

Resolved, That the clerk of the House of Delegates and keeper of the rolls be, and he is hereby, authorized to employ such clerical assistance as he may need after the adjournment of the present General Assembly, but the aggregate amount allowed under this resolution shall not exceed the amount allowed by law to a committee clerk for sixty days.

—Which was agreed to.

The following were presented and referred under Rule 37:

By Mr. ALLENSWORTH: A petition by the voters of Caroline county praying the action of this body to prevent discrimination on the part of railroads, the enforcement of the laws with reference to the handling, inspection and sale of leaf tobacco, and that adequate provisions be made to enable the department of agriculture to properly inspect fertilizers, with stringent laws protecting farmers against frauds in the purchase of commercial fertilizers. Referred to the committee on roads and internal navigation.

By Mr. TYLER of *Richmond city:* A bill to amend and re-enact section 2 of chapter 171, Code of Virginia, 1873, in reference to the appointment of commissioners in chancery. Referred to the committee for courts of justice.

The SPEAKER laid before the House a letter from General F. H. Smith, as follows:

RICHMOND, VA., February 29, 1888.

HON. R. H. CARDWELL,

Speaker of the House of Delegates:

My Dear Sir,—I have duly received a copy of the resolution of the House of Delegates directing me to return 100 copies of the report of the board of visitors of the Virginia military institute which had been sent to me by the public printer.

I would respectfully state that I have never had in my possession a single copy of this report which had been printed for the use of the General Assembly.

It has been always customary when the annual reports of the board of visitors were printed to request the public printer to print a limited number of extra copies for the use of the institution, for which the printer was duly paid by the treasurer of the institute.

This year I requested the public printer to have 100 extra copies of the annual report of the board of visitors printed for the use of the institution.

The public printer kindly complied with my request, and in due time forwarded to me the 100 copies I had ordered, for which the printer was duly paid by the treasurer of the institute.

The copies thus sent to me were, in part, laid on the table of the joint committee of the General Assembly lately visiting the institute; some were sent to the president of the board of visitors, others given to the faculty.

I have directed my adjutant to forward to me without delay such undistributed copies as he may have, and they will be immediately sent to the House of Delegates.

Upon reference to the public printer this morning, he states that the 500 copies which he is directed by law to print for the use of the General Assembly, are still undistributed and in the hands of the binder. He thinks the resolution to which I am responding was introduced through some misapprehension, inasmuch as he has never sent away any copies of the report printed for the use of the General Assembly.

I have the honor to be

Very respectfully, your obedient servant,

FRANCIS H. SMITH,

Superintendent Virginia Military Institute.

Senate joint resolution providing for the appointment of electoral boards in the respective counties and cities of the commonwealth, as follows:

Resolved (the House of Delegates concurring), That the following persons be, and they are hereby, elected and appointed to compose the electoral boards in the respective counties and cities in which they reside in accordance with the provisions of an act in force November 29, 1884, entitled an act to provide for the manner of choosing registrars and judges and clerks of election for the several counties and cities of the commonwealth, and to repeal sections 8 and 24 of chapter 8, and sections 2 and 3 of chapter 7 of the Code of 1873, as amended and re-enacted by an act, approved August 25, 1884, entitled an act to amend and re-enact sections 1 and 10 of an act entitled an act to provide for a general registration of voters, approved April 12, 1870, chapter 46, sections 1 and 10, pages 55 and 57, Acts

1869–'70, which are sections 2 and 3 of chapter 7 of Code of 1873, and section 24 of an act entitled an act to provide for a general election, approved May 11, 1870, chapter 76, section 24, page 82, Acts of 1869–'70, as amended by an act entitled an act to amend and re-enact section 24 of the act, approved May 11, 1870, entitled an act to provide for a general election, approved March 20, 1873, chapter 200, section 1, page 185, Acts 1872–'3, and which is section 8 of chapter 8, Code of 1873, and section 40 of an act entitled an act to provide for a general election, approved May 11, 1870, chapter 76, section 40, page 88, Acts 1869–'70, as amended by an act entitled an act to amend and re-enact sections 39, 40 and 58 of an act entitled an act to provide for a general election, approved May 11, 1870, as amended and re-enacted by an act approved July 11, 1870, chapter 279, section 1, page 370, Acts 1870–'71, and which is section 24 of chapter 8, Code 1873, and to make valid all registrations and elections held since the act of February 14, 1884, became in force:

Accomac—Joseph E. Broadwater, Frank M. Boggs and Joseph J. Westcott.

Albemarle—William R. Burnley, James T. Marshall and J. N. Faris.

Alexandria—Robert Walker, George W. Veitch and E. T. Sisson.

Alleghany—John A. Carson, John L. Irvine and A. A. McAlister.

Amelia—John Wingo, Robert G. Southall and Lemuel H. Vaughan.

Amherst—Robert N. Ellis, William Sandidge and William T. Anderson.

Appomattox—W. N. Horseley, James A. Walker and John Robertson.

Augusta—William F. Smith, C. Benton Koiner and Samuel H. McCue.

Bath—W. H. McClintic, A. F. Withrow and George Woodzell.

Bedford—John H. Hopkins, Robert S. Quarles and J. P. McCahe.

Bland—H. C. Groveclose, H. G. Hicks and J. H. Bruce.

Botetourt—Carey Breckenridge, William B. Bowyer and John J. Allen.

Brunswick—Edward Drumgoole, J. W. Bailey and J. Ravenscroft Jones.

Buchanan—Sparrel Ratliff, Henderson Elswich and M. P. Jackson.

Buckingham—Trent Moseley, J. C. Turner and J. T. McKenna.

Campbell—Abner Early, J. M. Lawson and Stephen Adams.

Caroline—John H. Martin, James C. De Jarnette and Dr. N. M. Corbin.

Carroll—John Wilkinson, J. W. Greene and Adanijah Linebury.

Charles City—Edward Willcox, D. G. Tyler and W. W. Pierce.

Charlotte—J. D. Shepperson, D. Q. Eggleston and J. J. Overbey.

Chesterfield—P. C. Warwick, J. P. Sampson and E. F. Lockett.

Clark—John J. Reily, George Glass and W. F. Meade.
Craig—Augustus C. Givens, E. Y. Myers and William I. Paxton.
Culpeper—William Nalle, John Long and J. W. Payne.
Cumberland—Edmund R. Cock, B. W. L. Blanton and Dr. J. L. Banks.
Dickenson—J. E. French, William P. Colley and Jonas B. Rasnick.
Dinwiddie—Knox Thompson, S. D. Allan and E. C. Powell.
Elizabeth City—J. C. Phillips, Thomas Davis and S. B. Wood.
Essex—J. H. James, J. Y. Boughan and W. H. Farinholt.
Fairfax—James P. Machum, W. S. Smoot and R. W. Gaillard.
Fauquier—Edward P. Turner, J. P. Jeffries and T. C. Pilcher.
Floyd—Floyd W. Edwards, John T. West, Sr., and Obadiah Simmons.
Fluvanna—Henry W. Sadler, Charles J. Perkins and B. W. Taylor.
Franklin—C. L. Powell, James Dinwiddie and T. J. Pelter.
Frederick—Daniel E. Wotring, Joseph M. Barton and C. E. Jordan, Jr.
Giles—E. F. Payne, William P. Shumate and Samuel B. Shannon.
Gloucester—W. W. Mason, R. M. Page and H. C. Bland.
Grayson—J. J. Thomos, A. A. Bryant and L. H. Hampton.
Greene—N. B. Chapman, E. B. McMullin and Benjamin Herndon.
Greensville—P. F. Weaver, George H. Bailey and James F. Powell.
Goochland—R. H. Trice, E. H. M. Lively and Abner Nuckles.
Halifax—William E. Owen, H. C. Cousins and W. B. Wilkins.
Hanover—Julian M. Ruffin, Hill Carter and John Page.
Henrico—Z. S. McGruder, Thomas Johnston and H. C. Hechler.
Henry—Joseph G. Penn, D. M. Fry and Logan P. Richardson.
Highland—L. H. Stephenson, S. A. Porter and Dr. H. H. Jones.
Isle of Wight—George H. Jordan, Charles H. Hart and Miles R. Minton.
James City—John W. Minor, James E. Ranks and Robert A. Bright.
King and Queen—William Dew, Spottswood Byrd and B. F. Bowden.
King George—Edwin D. Brown, W. R. Taylor and I. Nathaniel Peed.
King William—O. D. Minor, William V. Croxton and W. M. Gary, Jr.
Lancaster—W. McD. Lee, Thomas A. Pinkard and C. F. Newbill.
Lee—H. C. T. Richmond, James W. Orr and J. M. Johnston.
Loudoun—James McDaniel, J. C. Coleman and Joseph L. Norris.
Louisa—Everett Perkins, P. P. May and Charles Y. Nuckolls.

Lunenburg—R. H. Allen, Isaac B. Bell and George E. Smith.
Madison—E. W. Twyman, B. M. Buckner and John J. Clore.
Mathews—A. J. Miller, Robert E. Hudgins and Walter G. Lane.
Mecklenburg—W. T. Atkins, George P. Tarry and R. J. Montgomery.
Middlesex—Robert Blakey, Dr. W. S. Christian and Robert Healey.
Montgomery—E. H. Taylor, R. D. M. Charlton and G. M. Kinsey.
Nansemond—Sydney T. Ellis, E. B. Britt and James C. Vaughan.
Nelson—J. T. Brown, B. T. Gordon and James Harvey.
New Kent—John A. Davis, Thomas Barham and A. P. Richardson.
Norfolk—Joseph T. Duke, Bascom Sykes and Park F. Poindexter.
Northampton—John R. Tankard, Nathaniel Holland and William B. Wilson.
Northumberland—L. R. Bromley, A. J. Brent and L. T. Harding.
Nottoway—James F. Epes, Peter E. Harris and George M. Inge.
Orange—William G. Williams, Conway Newman and John T. Payne.
Page—E. T. Booten, F. W. Berry and S. J. Richey.
Patrick—C. E. Smith, Chap. J. Harbour and James L. Mills.
Pittsylvania—Langhorne Scruggs, A. J. Clark and R. I. Anderson.
Powhatan—Robert Page, William Winfree and W. T. Michaux.
Prince Edward—J. M. Crute, E. T. Clark and B. F. Hunt.
Prince George—R. E. Bland, George W. Williams and Mann Page.
Prince William—George G. Galliher, Joseph B. Reid and G. W. Tansill.
Princess Anne—A. W. Bell, A. E. Herbert and William H. H. Batten.
Pulaski—W. L. Painter, R. C. Booth and N. J. Morgan.
Rappahannock—W. T. Yancey, F. L. Slaughter and H. A. Wood.
Richmond—Robert Carter Wellford, William B. Mitchell and John W. Lyell.
Roanoke—W. W. Berkley, M. P. Crawford and John M. Oakey.
Rockbridge—W. B. F. Leech, James K. Edmondson and Hugh Adams.
Rockingham—George R. Eastham, J. W. F. Allemong and W. T. Jennings.
Russell—Henry Stuart, Isaac Fickle and Davis Alderson.
Scott—John M. Hoge, A. P. Henderson and S. P. McConnell.
Shenandoah—A. P. McInturff, Henry C. Magruder and Henry S. Wunder.
Smyth—James S. Greever, Samuel A. Cox and C. D. Carter.
Southampton—James M. Corbett, L. R. Edwards and R. S. Boykin.

Spotsylvania—James L. Rawling, F. L. Frazer and Lee J. Graves.
Stafford—D. M. Lee, Powhatan Moncure and Edgar Moore.
Surry—R. D. Gilliam, M. Q. Holt and S. H. Burt.
Sussex—George W. Jackson, L. P. Hargrove and W. H. Dillard.
Tazewell—Augustus White, Thomas A. Lynch and James W. Hicks.
Warren—Fayette Updike, Thomas W. Timberlake and Leroy Leach.
Warwick—E. C. Crafford, R. G. Curtis and D. G. Smith.
Washington—David M. Stuart, Solomon W. Withers and Henry B. Roberts.
Westmoreland—Thomas Brown, James P. Jenkins and L. Washington.
Wise—C. F. Flanary, Kent Banner and James U. Gilley.
Wythe—Frank H. Terry, Robert Landreth and J. Grattan Crockett.
York—W. J. Stoves, Dr. R. E. Power and John T. Bull.
Alexandria City—Allen T. Ramsay, Thomas Leadbeater and John A. Marshall.
Danville—O. W. Dudley, Tarlton L. Brown and D. A. Overby.
Fredericksburg—Saint George R. Fitzhugh, W. D. Scott and S. E. Eastburn.
Lynchburg—G. Carter Glass, Mosby M. Payne and T. N. Davis.
Manchester—F. C. D. Farmer, John O'Brien and David J. Weisiger.
Norfolk city—H. L. Pitt, R. R. Pitt and Allen Saunders.
North Danville—T. J. Corbin, B. F. Jefferson and William A. Baugh.
Petersburg—Joseph Sall, Putnam Stith and W. Henderson Eanes.
Portsmouth—W. S. Langhorne, C. C. Walker and G. W. R. McDonald.
Richmond city—W. H. Palmer, R. Taylor Pemberton and W. J. Westwood.
Staunton—J. Ad. Cochran, B. B. Eskridge and J. B. Woodward.
Williamsburg—Sidney Smith, Jr., R. L. Hundley and Robert G. Barlow.
Roanoke City—Philip McCledenny, Joseph A. Gale *and Thomas* Engleby.
Winchester—Lewis N. Huck, *George E. Jenkins and William* H. Hardy.

The question being on agreeing to the amendment proposed by the committee on privileges and elections as follows:
Strike out Miles R. Minton, Augustas White, David M. Stuart, Solomon W. Withers, Wm. V. Braxton and H. L. Pitt, and insert, Josiah Bradshaw, A. T. Ward, George Graham, J. G. R. Davis, Fleming Meredith and H. L. Smith, respectively.

Mr. HAY moved the pending question which was ordered—yeas 52; nays 32.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Graves, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, Wilkins, Williams and Wright—52.

NAYS—Messrs. Ash, Baskerville, John A. Browne, Craft, Dickey, Elam, Evans, Herring, Jarratt, Jones, Martin, McCandlish, McClintic, McNeil, Montague, Wm. M. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—32.

The amendment proposed by the committee on privileges and elections was agreed to.

Mr. WADDILL moved that the House do now adjourn; which motion was rejected—yeas 23; nays 62.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, John A. Browne, Corbett, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, McCandlish, McNeil, Montague, Parr, Pedigo, Porter, Roane, Robinson, Sanger, Spencer, Waddill, Webb and Young—23.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, Mayo, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Perkins, Phillips, Pilcher, Pollard, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—62.

Mr. HAY moved the pending question, which was ordered.

The Senate joint resolution, as amended, was agreed to—yeas 58; nays 34.

The vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—58.

NAYS—Messrs. Ash, Baskerville, John A. Browne, Craft, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—34.

Mr. POLLARD moved to reconsider the vote by which the Senate joint resolution, as amended, was agreed to; which motion was rejected.

The contested election case of Love against Overby, of the county of Lunenburg, came up.

The question being on agreeing to the resolution contained in the minority report as follows:

Resolved, That J. W. OVERBY, the sitting member, is entitled to a seat in this body as delegate from the county of Lunenburg.

Mr. CATLETT moved the pending question; which was ordered.

The resolution contained in the minority report was agreed to—yeas 44; nays 43.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Coleman, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Huffman, Johnson, Kincheloe, Leggett, Magruder, Morton, Mustain, Pilcher, J. Roberts, Ryan, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, Watkins, Wilkins, Williams and Wright—44.

NAYS—Messrs. Ash, Baskerville, Corbett, Craft, Curtis, Daingerfield, Dickey, Elam, Evans, A. W. Harris, J. S. Harris, Herring, Hobson, Hunter, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, A. Moore, Jr., Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Pollard, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Robinson, Sanger, Spencer, Tinsley, Treat, R. H. Tyler, Waddill, Webb and Young—43.

Mr. ECHOLS moved to reconsider the vote by which the resolution was agreed to.

Mr. WADDILL moved to pass by the motion to reconsider; which motion was rejected—yeas 35; nays 48.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—35.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Coleman, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Johnson, Kincheloe, Leggett, Magruder, A. Moore, Jr., Morton, Mustain, Pilcher, Pollard, J. Roberts, Ryan, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, Watkins, West, Wilkins, Williams and Wright—48

Mr. HAY moved the pending question.

Mr. WADDILL moved that the House do now adjourn.

The SPEAKER ruled the motion as out of order as Rule No. 65 requires that the motion for the pending question shall be forthwith put to the House.

Mr. WADDILL appealed from the decision of the chair.

The question being, Shall the decision of the chair stand as the judgment of the House, was put and decided in the affirmative—yeas 45; nays 23.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Coleman, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Graves, Hay, Herbert, Huffman, Hunter, Kincheloe, Leggett, Martin, Magruder, A. Moore, Jr., Morton, Mustain, Pilcher, Pollard, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, Wilkins, Williams and Wright—45.

NAYS—Messrs. Ash, Baskerville, Daingerfield, Elam, Evans, A. W. Harris, Jarratt, Jones, Mayo, McCandlish, McNeil, Montague, Wm L. Moore, Pedigo, Riner, Roane, Robinson, Sanger, Tinsley, Treat, Waddill, Webb and Young—23.

The pending question was ordered—yeas 51; nays 30.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Coleman, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, A. Moore, Jr., Morton, Mustain, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—51.

NAYS—Messrs. Ash, Baskerville, Corbett, Daingerfield, Dickey, Elam, Evans A. W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McNeil, Montague, Pedigo, Perkins, Phillips, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—30.

The motion by Mr. ECHOLS to reconsider the vote by which the resolution contained in the minority report was agreed to, was rejected—yeas 31; nays 51.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Corbett, Daingerfield, Elam, Evans, A. W. Harris, Herring, Jarratt, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, Parr, Pedigo, Perkins, Phillips, Pollard, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, R. H. Tyler, Waddill, Webb and Young—31.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Graves, J. S. Harris, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., Morton, Mustain, Pilcher, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, Watkins, West, Wilkins, Williams and Wright—51.

Mr. MAYO moved the House do now adjourn; which motion was rejected—yeas 15; nays 52.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. Baskerville, Evans, A. W. Harris, Jarratt, McCandlish, McClintic, McNeil, Wm. L. Moore, Perkins, Porter, Robinson, Sanger, Spencer, Webb and Young—15.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, Coleman, Corbett, Craft, Crawford, Crismond, Dabney, Daingerfield, Echols, Edwards, Elam, Ewell, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Herring, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, Mayo, McKee, J. E. Moore, Mustain, Pedigo, Pilcher, Pollard, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Sebrell, Starke, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—52.

Mr. WADDILL stated that a vote should now be taken on the report of the committee.

The SPEAKER decided that as the resolution affirming the right of Mr. OVERBY to a seat in this House had been agreed to, and a motion to reconsider the vote by which the resolution had been agreed to having been rejected, the matter was concluded.

Mr. WADDILL appealed from the decision of the chair.

The question being, Shall the decision of the chair stand as the judgment of the House, was put and decided in the affirmative—yeas 46; nays 28.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, J. Roberts, Ryan, Sebrell, Silver, Simpson, Starke, Terrell, Watkins, Wilkins, Williams and Wright—46.

NAYS—Messrs. Ash, Baskerville, Corbett, Daingerfield, Elam, Evans, A. W. Harris, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Pedigo, Phillips, Riner, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, Waddill, Webb and Young—28.

Mr. GORDON stated that on the vote taken on agreeing to the resolution declaring that J. W. OVERBY is entitled to a seat in this House from the county of Lunenburg, he voted under a misapprehension.

Mr. CATLETT stated that he would have voted in the affirmative but was paired with Mr. BRISTOW.

Mr. BROWNE of *Nansemond* stated that he would have voted in the negative but was paired with Mr. LOVING.

A message was received from the Senate by Mr. Berry, who informed the House that the Senate had passed No. 498, Senate bill entitled an act to amend and re-enact an act entitled an act to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, approved February 23, 1888.

Mr. MAYO moved that the House do now adjourn; which was rejected—yeas 12; nays 63.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. Baskerville, Evans, Jarratt, McCandlish, McNeil, Parr, Phillips, Porter, Robinson, Waddill, Webb and Young—12.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Barbour, John A. Browne, Buford, Catlett, Coleman, Craft, Crawford, Crismond, Dabney, Dickey, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Herring, Hobson, Hunter, Johnson, Kincheloe, Leggett, Loving, Martin, Mayo, McClintic, McKee, Montague, A. Moore, Jr., J. E. Moore, William L. Moore, Morton, Pedigo, Pollard, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Sanger, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Tinsley, R. H. Tyler, Wilkins, Williams and Wright—63.

The hour of half-past one o'clock P. M. having arrived, special order,

No. 244. House bill appropriating the public revenues for the fiscal years 1888 and 1889, came up.

Mr. ALLENSWORTH moved to strike out in line 28, page 2, "Civil contingent fund, twenty thousand dollars," and insert, "Ten thousand dollars."

Mr. FLOOD moved to amend the amendment offered by Mr. ALLENSWORTH by striking out "ten thousand dollars" and inserting, "Fifteen thousand dollars, five thousand of which is to be devoted to paying in equal proportions the fees due Messrs. Tucker and Conklin."

Mr. ECHOLS moved the pending question; which was ordered—yeas 64; nays 7.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Baldwin, Baskerville, Buford, Carter, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, Mayo, McClintic, McKee, Montague, A. Moore, Jr., J. E. Moore, William L. Moore, Morton, Mustain, Overby, Phillips, Pollard, Porter, Quesenberry, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Scott, Sebrell, Simpson, Starke, Terrell, Treat, Wilkins, Williams and Wright—64.

NAYS—Messrs. Ash, John A. Browne, Evans, McCandlish, Pedigo, Tinsley and Young—7.

The hour of half-past two o'clock P. M. having arrived, the chair was vacated until half-past four o'clock P. M.

EVENING SESSION.

The chair was resumed at half-past four o'clock P. M.

On motion of Mr. ECHOLS, the committee for courts of justice was allowed to sit during the session of the House this evening.

No. 157. House bill entitled an act to incorporate the Midlothian coal company.

The amendments of the Senate were agreed to.

The following Senate bills were read a third time and passed:

No. 428. Senate bill entitled an act to extend the time in which W. W. Kincheloe, treasurer of Prince William county, shall be authorized to collect taxes.

No. 246. Senate bill entitled an act to secure protection to the cemetery and property of the New erection memorial association in the county of Rockingham, Va.

No. 417. Senate bill entitled an act to prescribe the manner by which any internal improvement company may elect a part of its Board of Directors for a period of more than one year.

No. 119. Senate bill entitled an act to authorize the Elizabeth park and land company to construct a toll-bridge across Broad creek, between the counties of Norfolk and Princess Anne.

No. 451. Senate bill entitled an act to allow the qualified voters of Drainsville district, in the county of Fairfax, to vote on the question of continuing or repealing the present fence law.

No. 448. Senate bill entitled an act to incorporate the Danville real estate, investment, trust and land title company.

No. 206. Senate bill entitled an act to incorporate the Railway Reform rolling-stock company.

No. 460. Senate bill entitled an act to amend and re-enact section 2, chapter 196, Acts 1883–'4, entitled an act to provide for working the roads, repairing bridges and opening new roads in the counties of Frederick, Clarke, Warren and Augusta.

No. 433. Senate bill entitled an act to authorize the trustees of the Christian church at Chatham, Va., to borrow money to complete their church.

No. 384. Senate bill entitled an act to incorporate the Portsmouth and South Mills railway company.

No. 337. Senate bill entitled an act to extend the time for the collection of tax-tickets in the hands of J. B. Flippen, late treasurer of Cumberland county.

No. 389. Senate bill entitled an act to amend and re-enact sections 1 and 3 of chapter 321, extra session Acts 1887, approved May 20, 1887, entitled an act to prescribe the times for holding the courts of the Second, Sixteenth and Seventeenth judicial circuits.

No. 165. Senate bill entitled an act to incorporate the Manteo pleasure association.

Motions severally made to reconsider the votes by which Senate bills Nos. 428, 246, 206, 460, 433, 384, 347, 417, 119, 451, 448, 389 and 165 were passed, were rejected.

The following House engrossed bills were read a third time and passed:

No. 413. House engrossed bill to empower the trustees of the district school board of Gill's Creek and Black Water school districts, Franklin county, to use any surplus county public school funds belonging to said districts for the purpose of purchasing or erecting buildings for school purposes or discharging any indebtedness of the said district.

No. 460. House engrossed bill to provide for a new registration of voters of Roanoke City.

No. 443. House engrossed bill to incorporate the Free bridge company.

No. 474. House engrossed bill to incorporate the Washington, Western and Southwestern railroad company.

Motions severally made to reconsider the vote by which House engrossed bills Nos. 413, 460, 443 and 474 were passed, were rejected.

The following House bills were read a second time and ordered to be engrossed to be read a third time:

No. 470. House bill for working and keeping in repair the roads of the county of Dinwiddie. (Amended.)

No. 472. House bill to authorize and empower the county court of Halifax to alter and correct the assessment of the lands of Alexander Bruce in Halifax county. (Amended.)

No. 448. House bill to incorporate the Rediviva mineral water company of Rappahannock county.

No. 426. House bill to incorporate the Botetourt bank.

No. 429. House bill to authorize certain counties to exempt for a term of years from county taxation the property of the Virginia Western railroad company therein. (Amended.)

No. 481. House bill to incorporate the Grand camp Confederate veterans, department of Virginia.

No. 421. House bill to provide for the the protection of fish in South river, within the county of Augusta.

No. 477. House bill to define lawful fences along the public highways in the county of Frederick.

No. 465. House bill to amend and re-enact sections 1, 4, 7, 9 and 16 of an act entitled an act for working the public roads of Fairfax county, approved April 28, 1887.

No. 475. House bill to incorporate the Virginia trading company.

No. 281. House bill to incorporate the Jefferson fishing, sporting and yachting club.

No. 440. House bill to amend and re-enact sections 1, 5, 6 and 8 of an act to incorporate the town of Abingdon, passed March 16, 1871, as amended and re-enacted by acts passed April 21, 1877, and March 4, 1884. (Amended.)

No. 482. House bill to remove the political disabilities of W. S. Mathews and others.

No. 457. House bill to confirm the result of the vote taken in Tazewell county on 26th May, 1887, for a subscription to the capital stock of the Virginia Western railroad company.

No. 473. House bill to allow the board of supervisors of Campbell county option to deposit in bank or let remain, as they may think best, all county money that can be set aside as a sinking fund to redeem county bonds.

On motion of Mr. PARR, the House adjourned until to-morrow at ten o'clock A. M.

THURSDAY, MARCH 1, 1888.

On motion of Mr. WEBB, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, February 29, 1888.

The Senate have passed House bills entitled an act to repeal the charter of the town of Hillsville, No. 358; and an act to authorize the loan of muskets to the Lofty Retreat male academy, No. 378.

They have passed, with amendments, House bills entitled an act to incorporate the Virginia building and loan company, No. 248; and an act for the relief of William M. Dooley, of Campbell county, No. 245.

They have agreed to the amendments proposed by the House of Delegates to Senate bills entitled an act to extend time to clerk of Tazewell county for collection of fee-bills, No. 381; and an act to provide for a new registration in the county of Louisa, No. 450.

They have rejected House bills entitled an act to provide for the bringing of suits in certain cases against unincorporated societies, and providing that a married woman who is a member of any such society may sue or be sued as if she were a *femme sole*, No. 95; and an act to amend and re-enact an act to amend and re-enact section 1 of an act entitled an act to protect the fish in the waters of the Mattaponi and Pamunky rivers, approved March 3, 1886, and approved May 23, 1887, No. 22.

They have passed Senate bills entitled an act to allow the sureties of John B. Pitzer, late treasurer of Alleghany county, to collect certain tax-tickets, No. 489; and an act to incorporate the Hebrew cemetery company of Richmond, No. 484.

In which amendments and bills they respectfully request the concurrence of the House of Delegates.

No. 489. Senate bill, was read twice and referred to the committee on finance.

No. 248. House bill, was referred to the committee on propositions and grievances.

No. 245. House bill, was placed on the calendar, the rule having been suspended on motion of Mr. TERRELL, requiring its reference to a committee.

No. 484. Senate bill, was placed on the calendar, the rule having been suspended on motion of Mr. CARTER, requiring its reference to a committee.

No. 498. Senate bill entitled an act to amend and re-enact an act entitled an act to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, approved 23d February, 1888, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. HAY, requiring its reference to a committee.

The following Senate bills were reported from the committee on finance:

No. 95. Senate bill entitled an act for the relief of Franklin Willis, of Wise county, with a recommendation that it do not pass.

No. 483. Senate bill entitled an act providing final compensation to the revisors of the Code and their clerk.

No. 220. Senate bill entitled an act to appropriate money to erect additional buildings at the Southwestern lunatic asylum, with an amendment.

No. 34. Senate bill entitled an act making an appropriation to the Eastern lunatic asylum for building purposes, with an amendment.

No. 330. Senate bill entitled an act to exempt from taxation the Sanford charity school fund, of the county of Accomac.

The following Senate bills were reported from the committee on counties, cities and towns:

No. 150. Senate bill entitled an act to amend and re-enact an act for appointment of powder officer for the harbor of Norfolk and Portsmouth, approved March 3, 1880, as amended by an act approved March 9, 1880, entitled an act to amend an act passed February 27, 1880, entitled an act for appointment of powder officer for the harbor of Norfolk and Portsmouth.

No. 356. Senate bill entitled an act to amend and re-enact section 10, chapter 196, Acts 1883–'4, in relation to working the roads, repairing bridges and opening new roads in the counties of Frederick, Clarke, Warren and Augusta.

No. 312. Senate bill entitled an act to incorporate the Big Stone Gap banking company, reported from the committee on banks, currency and commerce.

No. 495. House bill for the relief of E. H. Chalkley and C. H. Chalkley, executive of O. H. Chalkley, deceased, reported from the committee on finance, was read a first time.

The following reports were agreed to:

The committee on propositions and grievances have had under consideration No. 409, Senate bill entitled an act to incorporate Jeffersonville street railway company, respectfully ask to be discharged from its further consideration and that it be referred to the committee on roads and internal navigation.

The committee on propositions and grievances have had under consideration No. 332, Senate bill entitled an act to punish the destruction, in whole or in part, of certain property by the use of dynamite, nitro-glycerine or other explosive substances, respectfully ask to be discharged from its further consideration and that it be referred to the committee on roads and internal navigation.

The committee on propositions and grievances have had under consideration joint resolution preventing the sale of dead beef coming from the Western States for a period two years from this date to any citizen of this State, respectfully ask to be discharged from its further consideration and that it be referred to the committee for courts of justice.

The Speaker laid before the House a communication from the governor in relation to pardons, &c. (Document No. 8.)

On motion of Mr. JOHNSON, the committee on roads and internal navigation was discharged from the further consideration of

No. 268. Senate bill entitled an act to incorporate the Isle of Wight and Nansemond lumber and transportation company.

The bill was placed on the calendar.

No. 496. House joint resolution requiring annual settlements, &c., of treasurers of this commonwealth; which was read a first time.

Mr. MORTON offered the following resolution:

Resolved, That the House will continue to meet at ten o'clock A. M., and immediately after the expiration of the morning hour the appropriation bill shall be considered until finally disposed of, and the consideration of the tax bill shall immediately thereafter be considered until finally disposed of; and nothing contained in any resolution now in force shall interfere with the provisions of this resolution, either during the morning or evening sessions.

Mr. WADDILL moved to add at end of the resolution the following: "Provided that hereafter during the evening session the roll shall be proceeded with, and any bill, public as well as private, shall be taken up."

Mr. SAUNDERS moved to amend the amendment offered by Mr. WADDILL so as to read as follows:

"Provided, however, that from half-past ten A. M., to half-past twelve P. M., the roll shall be proceeded with and any bill may be taken up, which was rejected.

The amendment offered by Mr. WADDILL was agreed to—yeas 47; nays 31.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Baldwin, Baskerville, Goodman Brown, Buford, Catlett, Corbett, Crismond, Curtis, Daingerfield, Dickey, Dupuy, Edwards, Elam, Evans, A. W. Harris, Herbert, Herring, Huffman, Jarratt, Jones, Johnson, Kincheloe, Martin, Mayo, McKee, McNeil, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Pilcher, Riner, Robinson, Sanger, Saunders, Scott, Simpson, Spencer, Starke, Tinsley, Treat, Waddill, Webb and Young—47.

NAYS—Messrs. Speaker, Arnold, Barbour, Carter, Coleman, Crawford, Echols, Edmondson, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Hunter, Leggett, Magruder, A. Moore, Jr., J. E. Moore, Morton, Overby, Porter, E. L. Roberts, J. Roberts, Ryan, Terrell, R. H. Tyler, Watkins, West, Williams and Wright—31.

The resolution offered by Mr. MORTON, as amended, was agreed to.

There appears in the Journal of the House of Delegates of February 29, 1888, that on agreeing to the resolution that John W. OVERBY is entitled to a seat in this House from the county of Lunenburg, a recorded vote—yeas 44; nays 43—was taken, and the name of B. B. GORDON appears in the 44 affirmative votes.

Mr. WADDILL moved to strike off the roll the name of B. B. GORDON; which motion was rejected—yeas 35; nays 47.

On motion of Mr. GORDON, the vote was recorded as follows:

YEAS—Messrs. Baskerville, Goodman Brown, John A. Browne, Corbett, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McClintic, McNeil, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Watkins, Webb and Young—35.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, A. Moore, Jr., Morton, Mustain, Pilcher, J. Roberts, Ryan, Saunders, Silver, Simpson, Starke, Terrell, R. H. Tyler, Williams and Wright—47.

Mr. WADDILL moved to take up the report of the committee on privileges and elections in the contested election case of Love against Overby.

The SPEAKER ruled the motion out of order as the matter of this contested election case had been finally concluded on yesterday.

Mr. WADDILL appealed from the decision of the chair.

The question being, Shall the decision of the chair stand as the judgment of the House, was put and decided in the affirmative—yeas 52; nays 26.

On motion of Mr. CARTER, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Barbour, Buford, Carter, Catlett, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Silver, Simpson, Spencer, Starke, Terrell, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—52.

NAYS—Messrs. Baskerville, Goodman Brown, John A. Browne, Corbett, Daingerfield, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, McNeil, Wm. L. Moore, Pedigo, Perkins, Phillips, Riner, Roane, Robinson, Sanger, Scott, Treat, Waddill, Webb and Young—26.

The following were presented and referred under Rule 37:

By Mr. MAGRUDER: A bill to amend charter of town of New Market, Shenandoah county, Va., so as to extend limits. Referred to the committee on counties, cities and towns.

By Mr. SCOTT: A bill to enable the board of directors of the Virginia penitentiary to employ the convicts in manufacturing fertilizers and to provide fifty thousand dollars therefor. Referred to the committee on asylums and prisons.

The morning hour having expired, the House proceeded to the consideration of

No. 244. House bill appropriating the public revenues for the fiscal years 1888 and 1889.

The amendment offered by Mr. FLOOD to the amendment offered by Mr. ALLENSWORTH was rejected.

The amendment offered by Mr. ALLENSWORTH to strike out "civil contingent fund, $20,000," and insert "Civil contingent fund, $10,000," was rejected—yeas 40; nays 41.

On motion of Mr. TYLER of *Prince William*, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Baldwin, Barbour, John A. Browne, Carter, Catlett, Corbett, Counts, Craft, Dickey, Flood, Herbert, Jarratt, Jones, Johnson, Kincheloe, Leggett, McCandlish, McNeil, Wm. L. Moore, Parr, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Robinson, Sanger, Saunders, Scott, Silver, Spencer, Tinsley, Treat, R. H. Tyler, Webb, Wright and Young—40.

NAYS—Messrs. Speaker, W. A. Anderson, Arnold, Bristow, Goodman Brown, Buford, Coleman, Crawford, Crismond, Dabney, Daingerfield, Dupuy, Echols, Elam, Evans, Figgatt, Gordon, Graves, A. W. Harris, Hay, Huffman, Hunter, Magruder, Mayo, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Pedigo, Perkins, Phillips, J. Roberts, Ryan, Simpson, Starke, Terrell, Watkins, West, Wilkins and Williams—41.

Mr. GORDON moved to amend the bill so as to read: "Civil contingent fund $20,000, of which a sum not exceeding ten thousand dollars shall be applied to the compensation of counsel employed to represent the interests of the commonwealth in the litigation in the United States courts involving the validity and effect of the legislation of the State in reference to coupons and all expenses arising from said litigation."

Mr. WADDILL moved as a substitute for the amendment offered by Mr. GORDON the following:

"Civil contingent fund, $16,000, $5,000 of which is to be paid in equal proportions to Roscoe Conkling and J. R. Tucker and $1,000

to C. V. Meredith in full for their compensation as attorneys in the Ayers-Scott-McCabe case in the supreme court of the United States."

—Which was rejected.

The amendment offered by Mr. GORDON was rejected.

Mr. FLOOD moved to reconsider the vote by which the amendment offered by himself was rejected; which motion was agreed to—yeas 42; nays 35.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Baldwin, Barbour, Goodman Brown, John A. Browne, Catlett, Corbett, Counts, Craft, Daingerfield, Edmondson, Evans, Ewell, Flood, A. W. Harris, Herring, Johnson, Kincheloe, Leggett, Loving, McNeil, William L. Moore, Overby, Parr, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Tinsley, R. H. Tyler, Waddill, Webb and Wright—42.

NAYS—Messrs. Allensworth, W. A. Anderson, Arnold, Buford, Carter, Coleman, Crawford, Crismond, Curtis, Dabney, Echols, Elam, Figgatt, Gordon, Graves, J. S. Harris, Hay, Hunter, Jarratt, Magruder, Mayo, McKee, A. Moore, Jr., J. E. Moore, Morton, Perkins, Phillips, J. Roberts, Ryan, Starke, Terrell, Watkins, West, Wilkins and Williams—35.

The question recurring on agreeing to the amendment offered by Mr. FLOOD, was put and decided in the negative—yeas 40; nays 42.

On motion of Mr. FLOOD, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Baldwin, Bristow, Catlett, Counts, Craft, Dickey, Dupuy, Edmondson, Ewell, Flood, Herring, Johnson, Kincheloe, Leggett, Loving, McCandlish, McNeil, Overby, Parr, Pilcher, Porter, Quesenberry, Riner, E. L. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Tinsley, Treat, R. H. Tyler, Waddill, Webb, Wright and Young—40.

NAYS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Baskerville, Goodman Brown, John A. Browne, Buford, Carter, Coleman, Crawford, Crismond, Dabney, Echols, Elam, Evans, Figgatt, Gordon, Graves, A. W. Harris, Hay, Hunter, Magruder, Mayo, McClintic, McKee, A. Moore, Jr., J. E. Moore, Morton, Pedigo, Perkins, Phillips, Roane, J. Roberts, Ryan, Starke, Terrell, Lyon G. Tyler, Watkins, West, Wilkins and Williams—42.

Mr. CRISMOND moved to reconsider the vote by which the amendment offered by Mr. GORDON was rejected; which motion was agreed to—yeas 50; nays 25.

On motion of Mr. MAYO, the vote was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Baskerville, John A. Browne, Buford, Carter, Coleman, Corbett, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Echols, Elam, Evans, Figgatt, Gordon, Graves, A. W. Harris, Hay, Huffman, Hunter, Mayo, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Parr, Pedigo, Perkins, Porter, Quesenberry, Riner, J. Roberts, Robinson, Ryan, Scott, Spencer, Starke, Tinsley, Treat, Lyon G. Tyler, Waddill, Watkins, Webb, West, Williams and Young—50.

NAYS—Messrs. Allensworth, D. W. Anderson, Arnold, Baldwin, Catlett, Dupuy, Edmondson, Flood, J. S. Harris, Herring, Kincheloe, Loving, Magruder, Overby, Phillps, Pilcher, Roane, E. L. Roberts, Saunders, Sebrell, Silver, Simpson, R. H. Tyler, Wilkins and Wright—25.

The question recurring on agreeing to the amendment offered by Mr. GORDON, was put and decided in the negative—yeas 40; nays 47.

On motion of Mr. FLOOD, the vote was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Arnold, Baskerville, Goodman Brown, Buford, Carter, Coleman, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Elam, Evans, Figgatt, Gordon, Graves, A. W. Harris, Hay, Herbert, Huffman, Hunter, Magruder, Mayo, McKee, A. Moore, Jr., J. E. Moore, Overby, Perkins, Phillips, J. Roberts, Ryan, Starke, Terrell, Lyon G. Tyler, Watkins and Williams—40.

NAYS—Messrs. Allensworth, D. W. Anderson, Baldwin, John A. Browne, Catlett, Corbett, Counts, Craft, Daingerfield, Dickey, Ewell, Flood, J. S. Harris, Herring, Jones, Johnson, Kincheloe, Loving, McCandlish, McClintic, McNeil, Wm. L. Moore, Parr, Pedigo, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Tinsley, Treat, R. H. Tyler, Waddill, Webb, West, Wilkins, Wright and Young—47.

Mr. CARDWELL moved to reconsider the vote by which the amendment offered by Mr. HAY was agreed to; which motion was agreed to.

The question recurring on agreeing to the amendment offered by Mr. HAY, was put and decided in the negative.

On motion of Mr. CATLETT,

Resolved, That in the further consideration of the pending bill, each item shall be considered in regular order, and if no objection is made to items so-called, they shall stand as adopted.

Mr. DUPUY moved to amend the bill by adding at end of 15th line page 1, the following: "And all sums realized from fees for realizing fertilizers by the department of agriculture;" which was agreed to—yeas 51; nays 20.

The vote required by Rule No. 75 was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Dabney, Daingerfield, Dupuy, Echols, Elam, Evans, Figgatt, Flood, Graves, Hay, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Phillips, Pilcher, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, R. H. Tyler, West, Williams and Wright—51.

NAYS—Messrs. Baskerville, Goodman Brown, Carter, Craft, Dickey, Edmondson, McClintic, Wm. L. Moore, Parr, Pedigo, Perkins, Porter, Quesenberry, E. L. Roberts, Robinson, Spencer, Tinsley, Treat and Young—20

Mr. SAUNDERS moved to strike out "board of public works, secretary's salary, $220"; which was agreed to.

Mr. WADDILL moved to strike out "civil contingent fund, $20,000," and insert "$10,200"; which was rejected—yeas 24; nays 46.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Baldwin, Bristow, Counts, Craft, Dickey, Flood, Johnson, McNeil, Wm. L. Moore, Parr, Porter, Quesenberry, Riner, Robinson, Saunders, Silver, Spencer, Terrell, Tinsley, R. H. Tyler, Waddill, Webb and Young—24.

NAYS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Crawford, Crismond, Curtis, Dabney, Daingerfield, Echols, Edwards, Elam, Evans, Figgatt, Gordon, Graves, Hay, Huffman, Hunter, Kincheloe, Leggett, Loving, Magruder, Mayo, McKee, A. Moore, Jr., Morton, Overby, Pedigo, Perkins, Phillips, Pilcher, E. L. Roberts, J. Roberts, Simpson, Starke, West, Wilkins, Williams and Wright—46.

Mr. WADDILL moved to amend the bill as follows: Strike out "civil contingent fund, $20,000," and insert "$16,000," $6,000 of which shall be paid as follows: "$3,000 each to Roscoe Conkling and J. R. Tucker in full, for services rendered the State in the supreme court of the United States"; which was rejected—yeas 38; nays 38.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Baldwin, Baskerville, Bristow, Goodman Brown, Corbett, Counts, Craft, Dabney, Dickey, Edmondson, Ewell, Flood, A. W. Harris, J. S. Harris, Herring, Johnson, Kincheloe, Loving, McClintic, McNeil, Wm. L. Moore, Parr, Pilcher, Quesenberry, Riner, E. L. Roberts, Saunders, Sebrell, Silver, Spencer, Tinsley, Treat, R. H. Tyler, Waddill, Webb, West, Wright and Young—38.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, John A. Browne, Buford, Coleman, Crawford, Crismond, Daingerfield, Echols, Edwards, Elam, Evans, Figgatt, Gordon, Graves, Hay, Hunter, Magruder, Mayo, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Perkins, Phillips, Roane, J. Roberts, Ryan, Simpson, Starke, Terrell, Lyon G. Tyler, Wilkins and Williams—38.

Mr. PEDIGO moved to reconsider the vote by which the amendment offered by Mr. ALLENSWORTH was rejected; which motion was rejected—yeas 35; nays 38.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Baldwin, Bristow, John A. Browne, Corbett, Counts, Craft, Dickey, Flood, J. S. Harris, Herring, Johnson, Kincheloe, Martin, McCandlish, McNeil, Wm. L. Moore, Parr, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Robinson, Saunders, Scott, Silver, Spencer, Tinsley, Treat, R. H. Tyler, Waddill and Young—35.

NAYS—Messrs. Speaker, W. A. Anderson, Arnold, Buford, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Echols, Edmondson, Edwards, Elam, Figgatt, Gordon, Graves, Hay, Huffman, Hunter, Magruder, Mayo, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Pedigo, Perkins, Phillips, J. Roberts, Ryan, Simpson, Starke, Terrell, Lyon G. Tyler, Wilkins and Williams—38.

Mr. WADDILL moved to amend the bill by striking out all from line 30 to 49, both inclusive, on pages 2 and 3; which was agreed to.

The hour of half-past two o'clock P. M. having arrived, the chair was vacated until half-past four o'clock P. M.

EVENING SESSION.

The chair was resumed at half-past four o'clock P. M.

No. 53. Senate bill entitled an act to establish a normal school at William and Mary college in connection with its collegiate course.

The motion made by Mr. TYLER of *Richmond city* to reconsider the vote by which the bill was rejected, was agreed to.

The question recurring on the passage of the bill, was put and decided in the affirmative—yeas 57; nays 27.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Arnold, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Corbett, Curtis, Dabney, Daingerfield, Dupuy, Edwards, Elam, Evans, Ewell, Figgatt, A. W. Harris, J. S. Harris, Herbert, Herring, Huffman, Jarratt, Jones, Johnson, Kincheloe. Leggett, Loving, Martin, Mayo, McCandlish, McClintic, Montague, J. E. Moore, Wm. L. Moore, Overby, Perkins, Phillips, Pilcher, Roane, Robinson, Scott, Sebrell, Simpson, Spencer, Starke, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins and Young—57.

NAYS—Messrs. Speaker, D. W. Anderson, Catlett, Coleman, Crawford, Crismond, Dickey, Echols, Edmondson, Flood, Graves, Hay, Hobson, Hunter, Magruder, McKee, A. Moore, Jr., Morton, Mustain, Porter, E. L. Roberts, J. Roberts, Ryan, Saunders, Terrell, Williams and Wright—27.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had passed No. 152, House bill entitled an act to provide for a board of agriculture of Virginia and making appropriation therefor, with amendments; in which they respectfully request the concurrence of the House.

On motion of Mr. DUPUY, the calendar was postponed for one minute.

The SPEAKER laid the bill before the House.

The bill was placed on the calendar, the rule having been suspended on motion of Mr. DUPUY, requiring its reference to a committee.

A message was received from the Senate by Mr. Blackstone, who informed the House that the Senate had passed No. 461, Senate bill entitled an act to prescribe what judges may practice law; in which they respectfully request the concurrence of the House.

On motion of Mr. HARRIS of *Dinwiddie*, the calendar was postponed for one minute.

The SPEAKER laid the bill before the House.

The bill was read twice and placed on the calender, the rule having been suspended on the motion of Mr. HARRIS of *Dinwiddie*, requiring its reference to a committee.

The House resumed the business on the calendar.

No. 406. House bill to amend and re-enact section 28 of chapter 36, Code of 1873, as amended and re-enacted by an act approved February 27, 1880, as amended and re-enacted by an act approved

April 21, 1882, in relation to the deposits of foreign insurance companies, was read a second time and ordered to be engrossed to be read a third time—yeas 39; nays 36.

On motion of Mr. FIGGATT, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Baldwin, Catlett, Coleman, Crismond, Dabney, Dupuy, Edmondson, Edwards, Ewell, Figgatt, Graves, Herbert, Hobson, Huffman, Johnson, Kincheloe, Loving, Magruder, McKee, A. Moore, Jr., Morton, Mustain, Pedigo, Phillips, Pilcher, E. L. Roberts, Saunders, Sebrell, Simpson, Starke, Terrell, R. H. Tyler, West, Williams and Wright—39.

NAYS—Messrs. Baskerville, Bristow, Goodman Brown, John A. Browne, Carter, Corbett, Craft, Curtis, Daingerfield, Dickey, Echols, Elam, Evans, J. S. Harris, Herring, Jones, Martin, McCandlish, McClintic, Montague, Wm. L. Moore, Perkins, Riner, Roane, J. Roberts, Robinson, Sanger, Scott, Tinsley, Treat, Lyon G. Tyler, Waddill, Watkins, Webb, Wilkins and Young—36.

No. 244. House bill appropriating the public revenues for the fiscal years 1888 and 1889, was, on motion of Mr. WADDILL, passed by—yeas 48; nays 41.

On motion of Mr. HAY, the vote was recorded as follows:

YEAS—Messrs. Allensworth, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herbert, Herring, Jarratt, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, J. E. Moore, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Pilcher, Porter, Quesenberry, E. L. Roberts, Robinson, Sanger, Saunders, Scott, Simpson, Spencer, Tinsley, Treat, Lyon G. Tyler, Waddill, Watkins, Webb and Young—48.

NAYS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Carter, Catlett, Coleman, Craft, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Hobson, Huffman, Hunter, Magruder, McKee, A. Moore, Jr., Morton, Mustain, Overby, J. Roberts, Ryan, Sebrell, Starke, Terrell, R. H. Tyler, West, Wilkins, Williams and Wright—41.

The following Senate bills were read a third time and passed:

No. 461. Senate bill entitled an act to prescribe what judges may practice law.

No. 330. Senate bill entitled an act to exempt from taxation the Sanford charity school fund of the county of Accomac—yeas 62; nays 3.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Arnold, Baldwin, Bristow, Goodman Brown, John A. Browne, Buford, Catlett, Corbett, Crawford, Dabney, Daingerfield, Dickey, Echols, Edwards, Elam, Evans, Ewell, Figgatt, Flood, Graves, A. W. Harris, J. S. Harris, Hay, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Loving, Mayo, McCandlish, McNeil, Montague, J. E. Moore, Wm. L. Moore, Parr, Pedigo, Perkins, Pilcher, J. Roberts, Robinson, Ryan, Saunders, Sebrell, Simpson, Starke, Terrell, Tinsley, Treat, R. H. Tyler, Watkins, Webb, Wilkins, Williams and Young—62.

NAYS—Messrs. McKee, A. Moore, Jr., and Morton—3.

No. 264. House bill to give consent of this State to the purchase, by the United States, of a lot of land in the city of Portsmouth for the use of the light-house board, was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. HERBERT moved that the bill be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 80.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Flood, Gordon, Graves, A. W. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Mayo, McNeil, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Parr, Pedigo, Perkins, Phillips, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Tinsley, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins, Williams and Young—80.

No. 451. House bill to provide State convicts free to counties to work on public roads, to provide further employment for said convicts, and to repeal an act entitled an act to employ convict labor on county roads and other works of internal improvement, approved March 6, 1886, was read a second time and ordered to be engrossed to be read a third time.

No. 339. Senate bill entitled an act to relieve Fannie E. Harvie of taxes erroneously charged, was read a third time and passed—yeas 59.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Baskerville, Bristow, Goodman Brown, Buford, Carter, Catlett, Coleman, Craft, Crawford, Curtis, Daingerfield, Echols, Elam, Ewell, Figgatt, Flood, Graves, Herring, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Martin, Mayo, McClintic, McKee, McNeil, Montague, J. E. Moore, Wm. L. Moore, Parr, Pedigo, Perkins, Pilcher, Porter, Quesenberry, Riner, Roane, J. Roberts, Robinson, Ryan, Saunders, Scott, Sebrell, Simpson, Spencer, Starke, Terrell, R. H. Tyler, Waddill, Webb, Wilkins and Young—59.

No. 374. Senate bill entitled an act to incorporate the Alexandria perpetual building fund association.

The amendments proposed by the committee on propositions and grievances as follows:

Add at end of 11th section the following: "All taxes, dues and demands due the State shall be paid in lawful money of the United States and not in coupons."

—Was agreed to.

The amendment being presently engrossed,

The bill was read a third time and passed.

Mr. MAYO moved that the House do now adjourn; which motion was rejected—yeas 29; nays 39.

On motion of Mr. MARTIN, the vote was recorded as follows:

YEAS—Messrs. Speaker, Baskerville, Coleman, Craft, Crawford, Crismond, Curtis, Dabney, Dupuy, Edmondson, Ewell, Flood, Gordon, J. S. Harris, Hobson, Hunter, Jarratt, Jones, Leggett, Magruder, J. E. Moore, Parr, Perkins, Ryan, Silver, Spencer, Treat, Webb and Wright—29.

NAYS—Messrs. D. W. Anderson, W. A. Anderson, Bristow, John A. Browne, Buford, Carter, Catlett, Corbett, Daingerfield, Echols, Figgatt, Graves, Herbert, Herring, Huffman, Johnson, Kincheloe, Martin, Mayo, McClintic, McKee, McNeil, Montague, Overby, Pedigo, Porter, Quesenberry, E. L. Roberts, Robinson, Saunders, Scott, Sebrell, Simpson, Starke, Terrell, R. H. Tyler, Waddill, Wilkins and Young—39.

No. 386. House bill for the relief of G. W. Howbert, of Roanoke county, was read a second time and ordered to be engrossed to be read a third time.

The bill being presently engrossed,

Mr. HUFFMAN moved that it be read a third time this day, which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 65.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker. W. A. Anderson, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Edmondson, Edwards, Elam, Ewell, Flood, Graves, J. S. Harris, Herbert, Herring, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Martin, Mayo, McClintic, McKee, McNeil, Wm. L. Moore, Parr, Pedigo, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Webb, Wilkins, Wright and Young—65.

Motions severally made to reconsider the votes by which Senate bills Nos. 461, 330, 339 and 374, and House bills Nos. 264 and 386 were passed, were rejected.

No. 381. House bill to promote the efficiency of the public free school system, and for this purpose to amend and re-enact sections 1430, 1435, 1438, 1447, 1448, 1464, 1468, 1472, 1483, 1486, 1487, 1489, 1509, 1512, 1513, 1514, 1520, 1523 and 1524, approved the —— day of May, 1887, of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth.

Pending which,

On motion of Mr. ECHOLS, the House adjourned until to-morrow at ten o'clock A. M.

FRIDAY, MARCH 2, 1888.

On motion of Mr. RYAN, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, March 1, 1888.

The Senate have agreed to the amendments proposed by the House of Delegates to Senate joint resolution providing for the appointment of electoral boards in the respective counties and cities of the commonwealth.

They have agreed to the amendments proposed by the House of Delegates to Senate bill entitled an act to provide for the draining of lowlands in Palmer's Springs district, in the county of Mecklenburg, No. 471.

They have passed House bills entitled an act to provide for the payment of the special joint committee of the General Assembly of Virginia acting under resolution of the 8th February, 1886, and for the payment of the accountant of the said committee, No. 308; and an act extending the time for collecting taxes to James A. Tilman, late treasurer of Powhatan county, No. 335.

They have rejected House bill entitled an act to amend and reenact sections 12 and 14 of an act entitled an act to repeal chapter 91 of the Code of 1873, and all acts and parts of acts in relation to the pilots and piloting of vessels, and to enact a law to govern and regulate pilots and piloting of vessels in the waters of the State of Virginia, approved April 21, 1882, No. 370.

They have passed, with a substitute therefor, House bill entitled an act to give aid to soldiers, sailors and marines of Virginia maimed or disabled in the war between the States, and to the widows of Virginia soldiers, sailors and marines who lost their lives in said war in the military service, No. 291.

They have passed Senate bill entitled an act to incorporate the Bedford Short Line railroad company, No. 337.

In which amendments and bills they respectfully request the concurrence of the House of Delegates.

No. 337. Senate bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. RYAN, requiring its reference to a committee.

No. 287. Senate bill entitled an act for the relief of P. A. Forbes, clerk of the courts of Buckingham county, was read twice and placed on the calendar, the rule having been suspended on motion of Mr. ELAM, requiring its reference to a committee.

No. 156. Senate bill entitled an act to incorporate the Roanoke and Franklin turnpike company, reported from the committee on counties, cities and towns, was read a first time.

No. 248. House bill entitled an act to incorporate the Virginia building and loan company, was reported from the committee on propositions and grievances.

No. 467. Senate bill entitled an act to incorporate the Manchester fertilizing company, was reported from the committee on propositions and grievances.

Mr. COLEMAN, under a suspension of the rule, presented

No. 497. House bill to incorporate the Danville bonded inspection tobacco company, which was read a first time.

Mr. ROBERTS of *Smyth and Bland*, under a suspension of the rule, presented

No. 498. House bill for the protection of fish in the middle fork of Holston river, which was read a first time.

Mr. EWELL, under a suspension of the rule, presented

No. 499. House bill to allow Peter H. Davis to erect a wharf on his land on Occohannock creek, in Accomac county, which was read a first time.

Mr. BUFORD offered the following resolution:

Resolved, That at eleven o'clock A. M. on this and each succeeding day the House shall proceed to the consideration of the special order—the appropriation bill—and this shall be the order until the same is finally disposed of.

2. That all resolutions in conflict herewith are hereby rescinded.

—Which was agreed to—yeas 53; nays 27.

On motion of Mr. CARTER, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Leggett, Loving, Magruder, Mayo, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Phillips, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Silver, Simpson, Starke, Terrell, R. H. Tyler, West, Williams and Wright—53.

NAYS—Messrs. Ash, Baskerville, Goodman Brown, Corbett, Daingerfield, Evans, Herring, Jones, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Pedigo, Perkins, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—27.

Mr. SCOTT stated that he would have voted in the negative on the question of agreeing to the resolution declaring J. W. Overby entitled to a seat in this House from the county of Lunenburg, but was paired with Mr. SMITH.

The morning hour having expired, the House proceeded to the business on the calendar.

Mr. STARKE moved a suspension of the rules to take up out of its order

No. 392. House bill to amend and re-enact section 15 of an act entitled an act amending and re-enacting section 15, chapter 7, Code of Virginia (edition of 1873), in relation to the removal of voters from wards in which they are registered.

—Which motion was rejected (not two-thirds voting in the affirmative)—yeas 50; nays 33.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Baldwin, Buford, Carter, Catlett, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, R. H. Tyler, West, Williams and Wright—50.

NAYS—Messrs. Ash, Baskerville, Goodman Brown, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, Herring, Jarratt, Jones, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—33.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate had agreed to a concurrent reso lution as follows:

Resolved (the House of Delegates concurring), That the present session of the General Assembly be extended for a period not exceeding ten days from the 5th of March, 1888.

—In which they respectfully request the concurrence of the House.

The following were presented and referred under Rule 37:

By Mr. McCLINTIC: Resolution requesting the committee on courts to enquire if any further legislation is necessary to compel the board of supervisors of the counties of Alleghany, Bath and Highland to erect fish ladders on the dams on the several rivers and creeks running through said counties. Referred to the committee for courts of justice.

By Mr. OVERBY: Petition of citizens of Lunenburg county asking the regulation of the cost of freight and passengers by transportation, handling, inspection and sale of leaf tobacco, inspection of fertilizers, and protection of farmers. Referred to the committee on agriculture and mining.

By Mr. DUPUY: A bill for the protection of farmers against spurious and worthless fertilizers. Referred to the committee on agriculture and mining.

By Mr. BUFORD: A bill to incorporate the tobacco trade of the city of Richmond. Referred to the committee on propositions and grievances.

Mr. DUPUY moved a suspension of the rule to take up No. 152, House bill entitled an act to provide for a board of agriculture of Virginia and making appropriation therefor, out of its order on the calendar; which was agreed to—yeas 53; nays 25.

On motion of Mr. PEDIGO, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Carter, Catlett, Coleman, Corbett, Curtis, Dabney, Daingerfield, Dupuy,

Echols, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Scott, Sebrell, Silver, Simpson, Starke, Terrell, R. H. Tyler, West, Williams and Wright—53.

NAYS—Messrs. Allensworth, Ash, Baskerville, Goodman Brown, Craft, Evans, Herring, Jarratt, Jones, McCandlish, McClintic, McNeil, William L. Moore, Pedigo, Perkins, Phillips, Quesenberry, Roane, Robinson, Sanger, Spencer, Tinsley, Waddill, Webb and Young—25.

The first amendment of the Senate as follows:

In section 1, line 4, strike out "whose principal business" and insert in lieu thereof, "The principal business of each member of which."

—Was agreed to.

Mr. WADDILL moved to reconsider the vote by which the first amendment of the Senate was agreed to; which motion was rejected—yeas 19; nays 56.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Goodman Brown, Craft, Evans, Jones, McCandlish, McClintic, McNeil, Montague, Perkins, Quesenberry, Riner, Robinson, Tinsley, Treat, Waddill, Webb and Young—19.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Buford, Carter, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, William L. Moore, Morton, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Scott, Sebrell, Silver, Starke, Terrell, R. H. Tyler, West, Williams and Wright—56.

On motion of Mr. SILVER, the House proceeded to the consideration of House engrossed bills.

No. 332. House engrossed bill to amend and re-enact section 437 of an act entitled an act to revise, arrange and consolidate into a Code the several statutes of the commonwealth, came up.

Mr. POLLARD moved the pending question, which was ordered—yeas 55; nays 24.

On motion of Mr. CARTER, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, Mayo, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Williams and Wright—55.

NAYS—Messrs. Baskerville, Bristow, Goodman Brown, Craft, Dickey, Elam, Herring, Jarratt, Jones, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Phillips, Porter, Quesenberry, Roane, Robinson, Sanger, Treat, Webb and Young—24.

The bill was read a third time and passed—yeas 50; nays 26.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Figgatt, Flood, Gordon, Graves, Herbert, Huffman, Hunter, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, R. H. Tyler, West, Williams and Wright—50.

NAYS—Messrs. Bristow, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, Herring, Jarratt, Jones, Mayo, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Waddill and Young—26.

Mr. POLLARD moved to reconsider the vote by which the bill was passed; which motion was rejected.

Mr. RYAN moved the pending question, which was ordered—yeas 57; nays 27.

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Carter, Catlett, Coleman, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Pilcher, Pollard, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Wilkins, Williams and Wright—55.

NAYS—Messrs. Baskerville, Bristow, Goodman Brown, Elam, Evans, Herring, Jarratt, Jones, Mayo, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Treat, Waddill and Young—27.

The motion by Mr. POLLARD to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. POLLARD carry the bill to the Senate and request their concurrence.

The hour of eleven o'clock A. M. having arrived, special order, No. 244. House bill appropriating the public revenues for the fiscal years 1888 and 1889, came up.

Mr. POLLARD moved to postpone the special order for five minutes.

Mr. FIGGATT moved the pending question which was ordered—yeas 48; nays 27.

On motion of Mr. ECHOLS the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Graves, J. S. Harris, Herbert, Hobson, Hunter, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Saunders, Sebrell, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Wilkins and Williams—48.

NAYS—Messrs. Baskerville, Bristow, Goodman Brown, Daingerfield, Dickey, Elam, Evans, Herring, Jarratt, Jones, Mayo, McCandlish, McClintic, Montague, Wm. L. Moore, Pedigo, Perkins, Phillips, Quesenberry, Roane, Robinson, Spencer, Tinsley, Treat, Waddill, Webb and Young—27.

The motion by Mr. POLLARD to postpone the special order for five minutes was rejected—yeas 9; nays 70.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Goodman Brown, Evans, Mayo, Pedigo, Pollard, Quesenberry, Robinson, Sanger and Tinsley—9.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, Buford, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Echols, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Kincheloe, Leggett, Loving, Magruder, McCandlish, McClintic, McKee, McNeil, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Overby, Phillips, Pilcher, Porter, Roane, E. L. Roberts, J. Roberts, Ryan, Sebrell, Silver, Simpson, Spencer, Terrell, R. H. Tyler, Webb, Wilkins, Williams, Wright and Young—70.

Mr. TYLER of *Richmond city* moved to strike out "pay of physician to city jail of Richmond, $500," and insert "$600"; which was rejected—yeas 31; nays 48.

The vote required by Rule No. 75 was recorded as follows:

YEAS—Messrs. Allensworth, Ash, Baskerville, Bristow, Buford, Carter, Corbett, Curtis, Daingerfield, Echols, Elam, Evans, Herring, Jarratt, Jones, Mayo, McClintic, Montague, Pedigo, Perkins, Phillips, Roane, Robinson, Sanger, Spencer, Tinsley, Treat, Lyon G. Tyler, Waddill, Webb and Young—31.

NAYS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Baldwin, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Dickey, Edmondson, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Parr, Pilcher, Pollard, Porter, Riner, E. L. Roberts, J. Roberts, Ryan, Saunders, Scott, Sebrell, Simpson, Watkins, West, Williams and Wright—48.

Mr. MCCANDLISH moved to strike out "Central lunatic asylum, $65,000," and insert "Central lunatic asylum, $70,000"; which was agreed to—yeas 70; nays 5.

The vote required by Rule No. 75 was recorded as follows:

YEAS—Messrs. D. W. Anderson, W. A. Anderson, Arnold, Ash, Baskerville, Goodman Brown, Buford, Carter, Catlett, Coleman, Corbett, Crawford, Crismond, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Graves, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Johnson, Magruder, Mayo, McCandlish, McKee, McNeil, Montague, A. Moore, Jr., J. E. Moore, William L. Moore, Morton, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Pollard, Porter, Riner, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Terrell, Treat, R. H. Tyler, Waddill, Webb, West, Wilkins, Williams and Young—70.

NAYS—Messrs. Gordon, Kincheloe, Leggett, Loving and Mustain—5.

Mr. ROBERTS of *Smyth and Bland* moved to strike out "public printing, $20,000," and insert, "Public printing, $25,000"; which was rejected—yeas 41; nays 39.

The vote required by Rule No. 75 was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Arnold, Ash, Bristow, Buford, Carter, Crawford, Crismond, Curtis, Dabney, Echols, Edmondson, Edwards, Elam, Evans, Figgatt, Flood, Graves, J. S. Harris, Huffman, Johnson, Mayo, A. Moore, Jr., J. E. Moore, William L. Moore, Perkins, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Simpson, Starke, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill and Williams—41.

NAYS—Messrs. Allensworth, Baldwin, John A. Browne, Catlett, Coleman, Corbett, Counts, Craft, Daingerfield, Dickey, Herring, Jarratt, Kincheloe, Leggett, Loving, Martin, Magruder, McClintic, McKee, NcNeil, Montague, Morton, Mustain, Overby, Parr, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Sebrell, Silver, Spencer, Treat, Webb, Wilkins and Wright—39.

Mr. TYLER of *Prince William* moved to amend line 138, page 7, by adding at end thereof the following:

"For carpets for the office of second auditor, $180"; which was rejected—yeas 24; nays 53.

The vote required by rule No. 75 was recorded as follows:

YEAS—Messrs. Allensworth, W. A. Anderson, Baldwin, Buford, Crismond, Curtis, Dabney, Echols, Edwards, Elam, Evans, Ewell, Figgatt, Mayo, J. E. Moore, Pollard, E. L. Roberts, J. Roberts, Silver, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler and Waddill—24.

NAYS—Messrs. Speaker, D. W. Anderson, Arnold, Ash, John A. Browne, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Daingerfield, Dickey, Edmondson, Graves, J. S. Harris, Herbert, Huffman, Jarratt, Johnson, Kincheloe, Leggett, Loving, McCandlish, McClintic, McKee, McNeil, Montague, A. Moore, Jr., William L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Sebrell, Simpson, Spencer, Terrell, Treat, Webb, West, Wilkins, Williams and Wright—53.

Mr. CARDWELL moved to strike out at end of line 140, page 7, "$75," and insert in lieu thereof the following: "$855, of which sum $780 to be applied to the payment, at the rate of $65 per month, for the recordation of certain plats and surveys received in said office between the years 1854 and 1860, and tracing certain patents in said office, for which fees have been paid the commonwealth when said plats and surveys were filed"; which was agreed to—yeas 69; nays 4.

The vote required by Rule No. 75 was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Bristow, John A. Browne, Buford, Carter, Catlett, Coleman, Corbett, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Flood, Gordon, Graves, A. W. Harris, J. S. Harris, Herbert, Herring, Huffman, Hunter, Jarratt, Kincheloe, Leggett, Loving, Mayo, McClintic, McKee, Montague, Mustain, Parr, Pedigo, Perkins, Phillips, Pilcher, Pollard, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Ryan, Saunders, Scott, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, Waddill, Webb, West and Williams—69.

NAYS—Messrs. Dickey, McNeil, Spencer and Wilkins—4.

Mr. CATLETT moved to strike out "University of Virginia, annual appropriation, $40,000," and insert, "University of Virginia, annual appropriation, $30,000," which was agreed to—yeas 53; nays 33.

On motion of Mr. PEDIGO, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, Arnold, Ash, Baldwin, Baskerville, John A. Browne, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Daingerfield, Dickey, Echols, Edmondson, Evans, Ewell. Herbert, Herring, Huffman, Jones, Johnson, Kincheloe, Leggett, Loving, McClintic, McNeil, Montague, William L. Moore, Mustain, Overby, Parr, Pedigo, Perkins, Pollard, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Sanger, Sebrell, Silver, Spencer, Tinsley, Treat, Webb, West, Wright and Young—53.

NAYS—Messrs. Speaker, Allensworth, W. A. Anderson, Buford, Carter, Curtis, Dabney, Dupuy, Edwards, Elam, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hobson, Hunter, Martin, Magruder, Mayo, McKee, A. Moore, Jr., Morton, Phillips, Ryan, Saunders, Simpson, Starke, Terrell, Lyon G. Tyler, Waddill, Wilkins and Williams—33.

Mr. CATLETT moved to reconsider the vote by which the amendment was agreed to; which motion was rejected.

Mr. FIGGATT moved to add at the end of line 153, page 7, the following: "And for the erection of barracks at Virginia agricultural and mechanical college, at Blacksburg, $10,000"; which was agreed to—yeas 59; nays, 29.

The vote required by Rule No. 75 was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Arnold, Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Corbett, Counts, Craft, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Evans, Figgatt, A. W. Harris, Herbert, Herring, Huffman, Hunter, Jarratt, Jones, Mayo, McCandlish, McClintic, McNeil, Montague, J. E. Moore, William L. Moore, Pedigo, Perkins, Phillips, Pilcher, Porter, Riner, E. L. Roberts, J. Roberts, Robinson, Scott, Simpson, Spencer, Starke, Terrell, Treat, Lyon G. Tyler, Waddill, West, Wilkins, Williams and Young—59.

NAYS—Messrs. Allensworth, D. W. Anderson, Baldwin, Coleman, Crawford, Elam, Gordon, Graves, J. S. Harris, Hobson, Johnson, Kincheloe, Leggett, Loving, Magruder, A. Moore, Jr., Mustain, Overby, Parr, Pollard, Quesenberry, Roane, Ryan, Sanger, Saunders, Sebrell, Silver, Webb and Wright—29.

Mr. ECHOLS moved to reconsider the vote by which the amendment was agreed to; which motion was rejected—yeas 31; nays 45.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, Baldwin, Catlett, Coleman, Crawford, Crismond, Echols, Elam, Ewell, Flood, Gordon, Graves, Johnson, Kincheloe, Leggett, Loving, Magruder, A. Moore, Jr., Morton, Mustain, Overby, Parr, Pollard, Quesenberry, Roane, Ryan, Saunders, Sebrell, Tinsley and R. H. Tyler—31.

NAYS—Messrs. Speaker, W. A. Anderson, Arnold, Ash, Bristow, Goodman Brown, Carter, Craft, Curtis, Daingerfield, Dupuy, Edmondson, Edwards, Evans,

Figgatt, A. W. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jones, Mayo, McCandlish, McClintic, McKee, J. E. Moore, Pedigo, Perkins, Phillips, Pilcher, Porter, Riner, E. L. Roberts, J. Roberts, Simpson, Spencer, Starke, Terrell, Treat, Webb, West, Wilkins, Williams and Young—45.

Mr. POLLARD moved to strike out in 153d line, page 7, "$5,000," and insert "$2,000"; which was agreed to.

Mr. SILVER moved to insert between the lines 153 and 154 of page 7 the following:

The governor is hereby authorized to appoint three commissioners who shall act with the commissioners to be appointed by West Virginia in defining the boundary line between Virginia and West Virginia, and for that purpose a sum not exceeding fifteen hundred dollars is hereby appropriated, to be paid upon the order of the governor.

—Which was agreed to—yeas 65; nays 5.

The vote required by Rule No. 75 was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Ash, Baldwin, Bristow, Goodman Brown, Buford, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Curtis, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Elam, Evans, Graves, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jones, Kincheloe, Leggett, Loving, Magruder, Mayo, McClintic, McKee, Montague, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Pedigo, Perkins, Phillips, Pilcher, Riner, E. L. Roberts, J. Roberts, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Tinsley, R. H. Tyler, Watkins, Webb, West, Wilkins and Williams—65.

NAYS—Messrs. Speaker, Figgatt, Johnson, Quesenberry and Treat—5.

A message was received from the Senate by Mr. Edmunds, who informed the House that the Senate had passed Senate bill entitled an act to incorporate the tobacco trade of the city of Richmond, No. 513; in which they respectfully request the concurrence of the House.

On motion of Mr. BUFORD the calendar was postponed for one minute.

The speaker laid the bill before the House.

The bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. BUFORD, requiring its reference to a committee.

The House resumed the consideration of the special order, House bill No. 244.

Mr. ELAM moved to amend the bill by striking out in line 193, page 9, "$100,000," and insert "$120,383"; which was rejected—yeas 24; nays 48.

On motion of Mr. TINSLEY, the vote was recorded as follows:

YEAS—Messrs. Bristow, Goodman Brown, Carter, Corbett, Craft, Crismond, Daingerfield, Dickey, Elam, McClintic, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Spencer, Treat, Waddill, Webb and Young—24.

NAYS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Catlett, Coleman, Counts, Crawford, Curtis, Dabney, Echols, Edmondson, Edwards, Ewell, Figgatt, Gordon, Graves, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Sebrell, Simpson, Starke, Terrell. Tinsley, Lyon G. Tyler, R. H. Tyler, West, Wilkins, Williams and Wright—48.

Mr. TINSLEY moved to reconsider the vote by which the amendment was rejected; which motion was rejected.

Mr. WADDILL moved to insert after the 194th line, page 9, the following: "To Martin W. Hazlewood $600 to pay for services rendered as a member of the special House committee appointed by resolution adopted by the House of Delegates of Virginia, November 29, 1884, to continue and complete the investigation of the books and accounts of the first auditor's office"; which was rejected—yeas 39; nays 35.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Allensworth, W. A. Anderson, Bristow, Goodman Brown, Buford, Carter, Corbett, Craft, Crawford, Curtis, Daingerfield, Dickey, Elam, Hobson, Hunter, Jarratt, Jones, Mayo, McCandlish, McClintic, McNeil, Montague, Wm L. Moore, Parr, Pedigo, Perkins, Phillips, Riner, Sanger, Spencer, Starke, Terrell, Tinsley, Lyon G. Tyler, Waddill, Webb, West, Williams and Young—39.

NAYS—Messrs. D. W. Anderson, Arnold, Baldwin, Catlett, Coleman, Crismond, Echols, Edmondson, Edwards, Figgatt, Flood, Graves, J. S. Harris, Herbert, Huffman, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, R. H. Tyler and Wright—35.

Mr. QUESENBERRY moved to reconsider the vote by which the amendment was rejected; which motion was rejected.

Mr. POLLARD moved to strike out line 27, page 10, "Central, $65,000," and insert, "Central, $70,000"; which was agreed to—yeas 60.

The vote required by Rule No. 75 was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Bristow, Goodman Brown, Buford. Carter, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Elam, Figgatt, Flood, Graves, J. S. Harris, Hobson, Huffman, Hunter, Jones, Johnson, Kincheloe, Leggett, Magruder, Mayo, McCandlish, McKee, McNeil, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Pilcher, Pollard, Riner, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Simpson, Spencer, Terrell, Tinsley, Waddill, West and Young—60.

Mr. WADDILL moved to insert after "revenue" in 23d line, page 10, the words, "Including commissions to commissioners of the revenue"; which was agreed to.

Mr. POLLARD moved to add at end of line 32, the words, "To be paid out of the military fund"; which was agreed to

Mr. POLLARD moved to strike out in line 107, page 131, "$5,000," and insert "$2,000"; which was agreed to.

Mr. ELAM moved to add at end of 149th line, page 15, the following: "And the sum of $20,730 to supplement the appropriation to the public free schools, commencing October 1, 1888"; which was agreed to—yeas 69.

The vote required by Rule No. 75 was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Bristow, Buford, Carter, Catlett, Coleman, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, A. W. Harris, Herbert, Huffman, Hunter, Johnson, Kincheloe, Loving, Magruder, Mayo, McCandlish, McClintic, McKee, McNeil, A. Moore, Jr., J. E. Moore, Morton, Mustain, Pedigo, Perkins, Pilcher, Pollard, Quesenberry. Riner, Roane, J. Roberts, Ryan, Sanger, Saunders, Sebrell, Silver, Simpson, Terrell, Tinsley, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Webb, West, Williams and Wright—69.

Mr. ANDERSON of *Rockbridge* moved to insert after "eighty-two," in 23d line, page 16, the following: "Subject to the limitations and discretion hereinbefore prescribed and authorized"; which was agreed to.

Mr. CARDWELL moved to reconsider the vote by which the amendment offered by Mr. SAUNDERS, to strike out the 25th line, page 2, "Board of public works, secretary salary, $220," was agreed to; which motion was agreed to.

The question recurring on agreeing to the amendment offered by Mr. SAUNDERS, was put and decided in the negative.

The question being on ordering the bill to be engrossed to be read a third time, was put and decided in the affirmative.

The bill being presently engrossed,

Mr. POLLARD moved that it be read a third time this day; which was agreed to (two-thirds in the House so determining).

The bill was read a third time and passed—yeas 58; nays 7.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris Herbert, Huffman, Hunter, Kincheloe, Leggett, Loving, Magruder, Mayo, McKee, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Perkins, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, R. H. Tyler, West, Wilkins, Williams and Wright—58.

NAYS—Messrs. Allensworth, Craft, McCandlish, McNeil, Montague, Spencer and Waddill—7.

Mr. CARDWELL moved to reconsider the vote by which the bill was passed; which motion was rejected.

On motion of Mr. POLLARD, the House adjourned until to-morrow at ten o'clock A. M.

SATURDAY, MARCH 3, 1888.

On motion of Mr. HERRING, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, March 2, 1888.

The Senate have agreed to the amendment proposed by the House of Delegates to Senate bill entitled an act to incorporate the Alexandria perpetual building fund association, No. 374.

They have passed House bills entitled an act to amend and reenact section 3 of an act entitled an act to incorporate the Shenandoah Valley railroad company, and to issue preferred stock or convertible under any plan of reorganization thereof, approved May 2, 1887, No. 430; an act to incoporate the Washington, Western and Southwestern railroad company, No. 474; an act to amend and reenact section 13 of an act for the preservation of oysters and to obtain revenue for privilege of taking them within the waters of the commonwealth, approved March 4, 1884, as amended by the act approved August 27, 1884, as amended by the acts approved November 26 and November 29, 1884, as amended by the act of March 6, 1886, as amended by the act approved April 28, 1887, No. 257; an act to provide for abating public nuisances and for disposing of fines imposed therefor, No. 170; an act to allow John R. Alrich further time to collect certain tax-tickets, No. 385; an act extending the time for one year for the collection of certain taxes and levies by the treasurer of Fluvanna county and his deputies, No. 453; an act to amend section 26 of an act entitled an act to provide for working and keeping in repair the public roads of Botetourt, No. 171; an act to incorporate the Fauquier and Rappahannock railroad company, No. 365; an act to provide for a new registration of voters of Roanoke City, No. 460; an act to change the boundary lines between the counties of Rockbridge and Botetourt south of James river, and to transfer a small portion of Botetourt to Rockbridge county, No. 437; an act to relieve Rev. Isaac Long, of Rockingham county, of taxes improperly paid by him, No. 412; an act to exempt the property of the International committee of the young men's christian association, located at the University of Virginia, from taxation, No. 346; an act for the protection of sheep in the counties of Bedford and Orange, No. 374; an act to amend Acts of Assembly 1885–'6, page 236, in regard to amount of treasurer's bond for city of Lynchburg, No. 238; an act to incorporate the Rosenberger and Shirley telephone company, No. 433; an act to submit the question of increasing the levy for district school purposes, including lengthening of school term, to the qualified voters of Occoquan district, Prince William county, No. 226; an act to amend and reenact section 427 of an act entitled an act to revise, arrange and

consolidate into a Code the several statutes of the commonwealth, No. 332.

They have passed, with a substitute therefor, House bill entitled an act to amend and re-enact an act, approved March 3, 1886, entitled an act to authorize the voters of Pittsylvania county to vote for or against the repeal of the present fence law by magisterial districts, No. 427.

They have passed, with an amendment, House bill entitled an act to authorize the extension of the Powell's Valley railway from the Tennessee State line across the southwest corner of Virginia to the Kentucky State line at or near Cumberland Gap, No. 297.

They have passed Senate bills entitled an act to authorize the town of Goodson to subscribe to the capital stock of the Bristol and Danville railroad company, No. 505; an act authorizing a new registration in the county of Wythe, No. 485; an act to authorize the Farmville and Charlottesville railroad company to pay one-half of the tax upon its mortgage at the time it is first recorded, and the other half when it issues more than eight hundred thousand dollars of bonds, No. 497; an act for the relief of Julius Joel, a wounded Confederate soldier, No. 444; an act to require the board of supervisors of Sussex county to provide compensation to commissioners of revenue in said county, No. 500; an act to authorize Benj. T. Gunter and others, surviving trustees of Ocean lodge, No. 116, A. F. and A. M., to sell and convey the lot of land in Drummondtown, Accomac county, upon which the Masonic temple is located, No. 472; an act to incorporate the Bristol machine and car works, No. 514; and an act appropriating the public revenues for the fiscal years 1888 and 1889, No. 512.

In which amendments and bills they respectfully request the concurrence of the House of Delegates.

House bills Nos. 297 and 427 were placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

Nos. 444, 472, 497, 514, 500, 505 and 512 Senate bills, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

No. 485. Senate bill entitled an act to authorize a new registration in the county of Wythe, was read twice.

Mr. RYAN moved a suspension of the rule, requiring a reference of the bill to a committee; which motion was rejected (not two-thirds voting in the affirmative)—yeas 50; nays 29.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, R. H. Tyler, Watkins, West and Williams—50.

NAYS—Messrs. Baskerville, Bristow, Goodman Brown, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jones, Mayo, McClintic, Montague, Wm. L. Moore, Parr, Pedigo, Phillips, Porter, Riner, Roane, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—29.

On motion of Mr. POLLARD, the committee on privileges and elections were allowed to sit during the session of the House.

No. 407. Senate bill entitled an act to authorize the supervisors of Dinwiddie county to increase their levy for school purposes, was reported from the committee on schools and colleges.

No. 485. Senate bill entitled an act to authorize a new registration in the county of Wythe, was reported from the committee on privileges and elections.

No. 500. House bill for the protection of farmers against spurious and worthless fertilizers, was reported from the committee on agriculture and mining.

No. 423. Senate bill entitled an act to amend and re-enact section 2 and section 8, chapter 209, Acts of Assembly 1874, entitled an act to establish corporation courts for the cities of Manchester and Winchester, was reported from the committee for courts of justice.

Mr. DABNEY offered the following resolution:

Resolved (the Senate concurring), That the General Assembly will proceed this day at half-past twelve o'clock P. M. to the election of a judge for Chartottesville.

The resolution was agreed to.

Mr. DABNEY moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. DABNEY carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had agreed to the resolution.

Mr. CURTIS offered the following resolution:

Whereas it appears from the report of the auditor of public accounts that there is not a sufficient amount of money realized from the revenues obtained from oyster license, &c., for catching oysters to pay the expenses attending their preservation.

Resolved (the Senate concurring), That a committee consisting of three on the part of the House and two on the part of the Senate be appointed to enquire into the general subject of obtaining revenue from the oyster interest and report such facts in connection therewith as they may deem pertinent, and suggest such changes in the laws on the subject as will at least secure revenue enough to pay the expenses connected with the preservation of oysters; said committee may sit during the recess of the General Assembly, but shall receive no compensation therefor.

The House refused to refer the resolution to a committee.

On motion of Mr. TREAT, the resolution was amended so as to provide for 5 on the part of the House and three on the part of the Senate.

The resolution, as amended, was agreed to.

Mr. ECHOLS moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. CURTIS carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Blackstone, who informed the House that the Senate had agreed to the resolution.

The committee on enrolled bills report that the governor has approved the following bills:

An act for working and keeping in repair the roads and bridges in Spotsylvania.

An act to amend and re-enact section 1 of chapter 39, Code of 1873, as amended by an act and approved February 15, 1879, and to amend and re-enact section 2 of chapter 39, Code of 1873, in reference to the price paid for land-warrants and the fees paid in the land office.

An act to incorporate the Princess Anne County railway company.

An act to empower the judge of the county court of Southampton county to appoint one or more policemen for the various magisterial districts of said county.

An act to incorporate the Falls Church telephone company.

An act to authorize county subscriptions to the capital stock of the Charleston, Cincinnati and Chicago railroad company.

An act to incorporate the Big Stone Gap mining transportation company.

An act to release the residue of certain judgments of the commonwealth against John G. Kasey, treasurer of Bedford county, and his sureties.

An act to amend and re-enact section 614 of chapter 27 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the compensation of county and city treasurers.

An act to incorporate the Richmond and Eltham railroad and navigation company.

An act for the relief of the sureties of James P. Critz, late treasurer of Patrick county.

An act authorizing a special election to be held in Warren county to ascertain the sense of the voters upon the subject of the erection of certain bridges across the Shenandoah river, and to issue the bonds of the county to raise money therefor.

An act to provide for a new registration in the county of Loudoun.

An act to enlarge the powers of the Richmond City railway company.

An act to incorporate the Virginia immigration, land and improvement company.

An act for the protection of game in the county of King William.

An act to amend and re-enact an act entitled an act to incorporate the Midlothian, Manchester and Richmond railway and mining company.

An act to extend the charter and franchises of the Southern improvement company.

An act to incorporate the Norfolk and Dismal Swamp steamboat company.

An act to amend and re-enact chapter 369 of the Extra Session Acts of 1887, entitled an act to amend and re-enact chapter 413, Session Acts of 1885-'86, entitled an act to prescribe the time for holding the terms of the courts of the Eighth judicial circuit, approved May 21, 1885.

An act to provide for the purchase of certain property, an additional improvement for the State normal school, and to make appropriation therefor.

An act to incorporate the Society of the honorable knights of Jonnathan of the State of Virginia.

An act supplementary to the laws now in force for working the roads, and repairing and building bridges in the county of Caroline.

An act to incorporate the Dismal Swamp hunting club of Norfolk county.

An act declaring James river the main track of the Richmond and Alleghany railroad and the boundary lines of the farms within certain limits in the county of Amherst a lawful fence.

An act for the relief of J. Winston Repass, treasurer of Wythe county.

An act to give the assent of the State of Virginia to the provisions of an act of Congress, approved March 2, 1887, in relation to an agricultural experiment station.

An act for the relief of John W. Clay, late treasurer of Campbell county.

An act to incorporate the South View orphan home.

An act to extend the time for the collection of tax-tickets in the hands of L. Winston, J. P. Charlton and A. O. Sullivan, deputies of C. W. Sullivan, deceased, treasurer of Montgomery county.

An act to work and keep in order the public roads in the county of Pittsylvania.

An act to amend and re-enact section 2871 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, in relation to special partnerships.

An act to provide a new registration of voters in the town of North Danville, Pittsylvania county.

An act to further define the duties and enlarge the powers of the commissioner of agriculture.

An act to amend section 2919 of the revised Code of 1887, in relation to limitation of suits.

An act for the relief of T. E. McCracken from a fine imposed by the corporation court of Fredericksburg.

An act to incorporate the Dinwiddie granite company.

An act to amend and re-enact section 5 of an act entitled an act to incorporate the Craig company.

An act to amend and re-enact chapter 192 of the Acts of 1885–'86, entitled an act to incorporate the town of Pulaski City, in the county of Pulaski.

An act to incorporate the Lambert's Point turnpike company.

An act to amend and re-enact sections 2 and 3 of an act, passed January 23, 1861, entitled an act amending and re-enacting the act entitled an act to incorporate the Jackson orphan asylum of Norfolk, passed February 26, 1856.

An act to empower the judge of the county court of Augusta county to appoint one or more policemen for the various magisterial districts of said county.

An act to amend and re-enact section 75 of chapter 78 of the Code of 1873, in regard to unexpended school funds.

An act to amend and re-enact sections 1165 and 1166 of chapter 48 of the Code of Virginia of 1887, prescribing qualification of bank directors.

An act to incorporate the Cohoke association.

An act to authorize the auditor of public accounts to re-issue to J. S. French a warrant heretofore issued to W. W. French and returned to the auditor.

An act to amend and re-enact sections 1 and 4 of an act entitled an act to incorporate the Bristol-Goodson street railway company.

An act to amend the charter of the Sherwood female seminary at Staunton, Va., approved May 21, 1887.

An act to amend and re-enact sections 13 and 54 of the charter of the city of Manchester.

An act for the relief of tax-payers of Mathews county.

An act to amend and re-enact sections 1 and 10 of an act entitled an act to incorporate the Surry and Smithfield railroad company, approved March 6, 1886.

An act to amend section 3 of an act, approved March 1, 1886, creating the Baldwin fair association, enlarging the powers of the association, &c.

An act to allow the voters of Berkeley magisterial district, Spotsylvania, to vote upon a fence law on certain conditions.

An act directing the secretary of the commonwealth to affix the seal of the State to a certain deferred debt certificate.

An act to incorporate the Sun mutual aid association.

An act for the relief of Fleming Anderson, a blind ex-Confederate soldier, of Halifax county.

An act to amend and re-enact section 33 of an act entitled an act to amend the charter of the city of Alexandria, approved January 20, 1871, as amended by an act approved March 22, 1871, and by an act approved March 17, 1876, and by an act approved March 20, 1879, and by an act approved March 25, 1879.

An act to incorporate the Danville and Great Western railroad company.

An act for the relief of B. S. English, deputy treasurer of Westmoreland county.

An act to allow J. W. Overby, late treasurer of Lunenburg county, further time to levy and distrain for uncollected taxes.

An act to provide payment out of the public treasury to William T. Fitzpatrick, deputy sheriff, the amount of expense incurred by him in behalf of the commonwealth.

An act to amend and re-enact section 1 of an act to prohibit the use of pound nets and purse nets in the waters of the James and Chickahominy rivers below tidewater, approved May 16, 1887.

An act to allow the citizens of Prince William county to vote on the question of the removal of the courthouse from Brentsville to Manassas, and to issue bonds for the erection of public buildings in case removal to said corporation be agreed to by a majority of the voters of Prince William.

An act to provide for the sale of real estate in the town of Farmville delinquent for the non-payment of taxes due said town.

An act to allow W. B. W. Brooking, late treasurer of Goochland county, and his deputies further time in which to collect levies and taxes already accounted for by him to the auditor of public accounts.

An act to incorporate Liberty Hill high school.

An act to incorporate the Great Southern railway company.

An act to amend and re-enact section 10 of chapter 125 of an act to incorporate the West Norfolk and Carolina railroad company, approved May 2, 1877.

An act to provide for the collection of delinquent taxes on real estate due to the town of Farmville for the years 1879, 1880, 1881, 1882, 1883, 1884 and 1885.

An act to provide for making, changing and working roads in the county of Rockingham.

An act to amend and re-enact sections 2 and 3 of an act to incorporate the Fauquier telephone company.

An act to amend and re-enact section 4 of an act, approved May 14, 1887, entitled an act to prevent the destruction of fish and to prevent the obstruction of the free passage of the same in Dan river at or near Danville, Va.

An act to incorporate the savings bank of the Grand fountain united order true reformers.

An act to incorporate the Virginia underground electrical conduit company.

An act to amend sections 4, 6 and 7 of an act to incorporate the Richmond perpetual building, loan and trust company.

An act to authorize Princess Anne to vote on the question of issuing bonds to build a road, and on the question whether such road shall be a free or toll-road, and provide for locating and constructing said road.

An act for the protection of game in the county of King William.

An act to incorporate the Virginia immigration, land and improvement company.

An act to amend and re-enact an act entitled an act to incorporate the Midlothian, Manchester and Richmond railway and mining company.

An act to enlarge the powers of the Richmond city railway company.

An act to extend the charter and franchises of the Southern improvement company.

An act to amend the charter of the town of Charlottesville.

An act to repeal the charter of the town of Emporia, approved April 28, 1887.

An act authorizing O. D. Lewis to redeem certain lots in the town of West Point, Va., sold for delinquent taxes.

An act to grant the right and privilege for a period of twenty years of occupancy of certain flats and water fronts on James river upon certain conditions.

An act authorizing and empowering the council of the city of Norfolk to issue bonds for the purpose of erecting a city market-house.

An act to authorize the clerks of circuit courts to take acknowledgement to deeds and other writings and to certify the same.

An act to repeal section 1168, chapter 48, Code of 1887, fixing a limitation on banking associations in discounting accommodation paper to one-tenth part of the capital stock of such association actually paid in.

An act for the relief of Sidney S. Fowlkes, of Nottoway county, from the payment of a fine imposed by the county court of Nottoway.

An act to amend and re-enact section 3657 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887.

An act to authorize the Petersburg railroad company to lease its road.

An act to amend section 8 of an act to incorporate the James River bridge company.

An act to authorize the trustees of Diamond Hill Baptist church of Lynchburg to borrow money and secure the same by deed of trust.

An act to authorize the sale of certain real estate now held by the county school board of King and Queen county, and to provide for the investments of the proceeds of sale.

An act to authorize conveyances by the county of Frederick and the city of Winchester to each other of certain rights in the public square situated in Winchester.

An act to amend and re-enact section 22 of chapter 181 of the Acts of Assembly of 1874-'75, to provide for working and keeping in order the roads of the commonwealth, approved March 20, 1875, so far as applies to Northumberland county.

An act authorizing Princess Anne county to issue bonds for the purpose of opening certain roads.

An act for the relief of J. J. Heuritze, late treasurer of Russell county, and his sureties.

An act to incorporate the West Norfolk land and improvement company.

An act to incorporate the Ivanwold hotel and ferry company.

An act to amend and re-enact sections 2 and 3 of an act to incorporate the Fauquier telephone company.

An act to provide for making, changing and working roads in the county of Rockingham.

An act to authorize the trustees of the Christain church at Chatham, Va., to borrow money to complete their church.

An act to authorize the Elizabeth park and land company to construct a toll-bridge across Broad creek between the counties of Norfolk and Princess Anne.

An act to secure protection to the cemetery and property of the New erection memorial association in the county of Rockingham, Va.

An act to incorporate the Old Dominion boom and log company.

An act to prescribe the manner by which any internal improvement company may elect a part of its board of directors for a period of more than one year.

An act to incorporate the Northern Virginia abbattoir company.

An act to allow W. G. Miller, treasurer of Rappahannock county, and his sureties twelve months to collect any uncollected tax-tickets in their hands and not returned delinquent for 1882, 1883, 1884, 1885 and 1886.

An act to incorporate the New River Plateau railway company.

An act to incorporate the Fairfax and Georgetown turnpike company.

An act to incorporate the Shenandoah driving park.

An act to incorporate the Bristol and South Atlantic railroad company.

An act to extend time to the clerk of Tazewell county for collection of fee-bills.

An act to amend and re-enact sections 1 and 3 of chapter 321 of Extra Session Acts of 1887, approved May 20, 1887, entitled an act to prescribe the time for holding the courts of the Second, Sixteenth and Seventeenth judicial circuits.

An act to incorporate the Manteo pleasure association.

An act to extend the time for the collection of tax-tickets in the hands of J. B. Flippen, late treasurer of Cumberland county.

An act to extend the time in which W. W. Kincheloe, treasurer of Prince William county, shall be authorized to collect taxes.

An act to provide for a new registration in the county of Louisa.

An act to allow W. B. W. Brooking, late treasurer of Goochland county, and his deputies further time in which to collect levies and taxes already accounted for by him to the auditor of public accounts.

An act to amend sections 4, 6 and 7 of an act to incorporate the Richmond perpetual building, loan and trust company, approved March 30, 1875.

An act to incorporate Liberty Hill high school.

An act to repeal the charter of the town of Hillsville.

An act to authorize the loan of muskets to the Lofty Retreat male academy.

No. 482. House bill to remove the political disabilities of W. S. Mattmas and others, was read a third time and passed by a two-thirds vote.

Mr. MOORE of *Pulaski and Giles* moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. Moore of *Pulaski and Giles* carry the bill to the Senate and request their concurrence.

A message was received from the Senate by Mr. Williams, who informed the House that the Senate had agreed to a resolution, as follows:

Resolved, That the House of Delegates be requested to return to the Senate House bill No. 374.

—In which they respectfully request the concurrence of the House.

A messsage was received from the Senate by Mr. Staples, who informed the House that the Senate had agreed to a joint resolution directing county and city treasurers not to sell lands for delinquent taxes, &c.; in which they respectfully request the concurrence of the House.

The SPEAKER laid before the House a communication from the governor, as follows:

COMMONWEALTH OF VIRGINIA,

GOVERNOR'S OFFICE,

RICHMOND, VA., March 3, 1888.

To the House of Delegates:

I herewith return, without my signature, House bill 192, entitled an act for the protection of farmers against spurious and worthless fertilizers.

A careful examination of this bill convinces me that the farmers will get no more protection than they are getting now, while injustice will be done the manufacturers because it will be impossible for them to comply with its provisions.

Section 1st requires the analysis made by the department of agriculture, over the signature of the commissioner of agriculture, to be stamped on every sack, bag, box or other package. This stamp or printed label must show the component parts of such manure or fertilizer; the percentage by weight which it contains of the following constituents—viz.: of phosphoric acid, soluble in pure

cold water; of phosphoric acid, insoluble in pure cold water; of available ammonia and potash, and the commercial value of said ingredients.

The analysis herein required ignores the reverted phosphoric acid and available phosphoric acid, because it requires only the soluble and insoluble phosphoric acid to be given; and the farmer would thus have no idea how much available phosphoric acid is present. The bill also demands that the commercial value of the ingredients of the fertilizer should be given, but does not direct how such value be ascertained. If the value of these ingredients was stated at so much per pound or ton, it would afford no information to the farmer, unless the quantity of each ingredient was also stated, and in such a statement of value no allowance would be made for labor and skill in manufacturing.

The commercial value of materials used for fertilizers is subject to much fluctuation; the material which is the usual source of potash, for instance, has advanced from $7 in November to $12 in February; ammoniates and phosphate rock and other materials have changed values proportionately, too. No commercial value can be fixed to-day which would be even approximately correct a few months afterwards.

The proposed law carries with it the penalty of fine and imprisonment for falsely and fraudulently using an analysis made by the department, for the correctness of which the manufacturer is not responsible; but which he is required to print on his sacks, and thus made to guarantee.

The farmer has all the protection under the existing act, approved March 29, 1887, as he would have under the provisions of this bill; while the latter, if it became a law, would discriminate against Virginia manufacturers and dealers.

These are some of the reasons which induce me to return this bill for the consideration of the House.

FITZHUGH LEE.

The question being, Shall the bill pass notwithstanding the objections of the governor, was put and decided in the negative—yeas 3: nays 64.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, Loving and Spencer—3.

NAYS—Messrs. Speaker, D. W. Anderson, Arnold, Bristow, Buford, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edwards, Elam, Evans, Ewell, Figgatt, Flood, Gordon, Graves, Herbert, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Martin, Magruder, McKee, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Overby, Parr, Pedigo, Pilcher, Pollard, Riner, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Scott, Sebrell, Silver, Simpson, Starke, Tinsley, Treat, R. H. Tyler, Waddill, Watkins, Webb, West, Williams, Wright and Young—64.

Joint resolution transferring a certain claim of the State of Virginia against the government of the United States to the Mount Vernon avenue association, chartered by this State, was read a third time and agreed to—yeas 53; nays 17.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. W. A. Anderson, Arnold, Bristow, Goodman Brown, Corbett, Counts, Curtis, Echols, Edwards, Elam, Evans, Ewell, Flood, Graves, A. W. Harris, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, Magruder, McClintic, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Perkins, Phillips, Pilcher, E. L. Roberts, J. Roberts, Robinson, Ryan, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Tinsley, R. H. Tyler, Webb, West and Williams—53.

NAYS—Messrs. D. W. Anderson, Catlett, Coleman, Craft, Crawford, Crismond, Daingerfield, Figgatt, McKee, Montague, Mustain, Overby, Parr, Pollard, Porter, Roane and Treat—17.

Mr. RYAN moved to reconsider the vote by which the Senate joint resolution was agreed to; which motion was rejected.

Ordered, That Mr. RYAN carry the resolution to the Senate and request their concurrence in the amendments of the House.

No. 152. House bill entitled an act to provide for a board of agriculture and making appropriation therefor.

The 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10 and 11th amendments of the Senate were agreed to.

Mr. DUPUY severally moved to reconsider the votes by which the amendments of the Senate were agreed to; which motions were rejected.

No. 293. Senate bill entitled an act for the relief of G. S. Healey, sheriff of Middlesex county.

The amendment proposed by the committee on finance was agreed to.

The amendment being presently engrossed,

The bill was read a third time and passed—yeas 71; nays 3.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Bristow, Goodman Brown, Buford, Catlett, Corbett, Counts, Craft, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood, Graves, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, McClintic, McKee, McNeil, Montague, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Overby, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, E. L. Roberts, J. Roberts, Robinson, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Tinsley, Treat, Lyon G. Tyler, Waddill, Webb, West, Wright and Young—71.

NAYS—Messrs. Echols, Gordon and Ryan—3.

Mr. BRISTOW moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. BRISTOW carry the bill to the Senate and request their concurrence in the amendment of the House.

No. 498. Senate bill entitled an act to amend and re-enact an act entitled an act to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, approved 23d February, 1888, was read a third time and passed.

Mr. LOVING moved to reconsider the vote by which the bill was passed; which motion was rejected.

No. 291. House bill entitled an act to give aid to soldiers, sailors and marines of Virginia maimed or disabled in the war between the States, and to the widows of Virginia soldiers, sailors and marines who lost their lives in the military service.

The substitute of the Senate was disagreed to.

Mr. POLLARD moved to reconsider the vote by which the substitute was disagreed to; which motion was rejected.

Ordered, That Mr. POLLARD inform the Senate of the action of the House.

No. 83. Senate bill entitled an act to relieve the owners of certain lands sold to the commonwealth for the non-payment of taxes and liens accrued prior to 1884, was read a third time and passed—yeas 71.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Bristow, Goodman Brown, Buford, Catlett, Counts, Craft, Crawford, Crismond, Dabney, Daingerfield, Dickey, Dupuy, Echols, Elam, Evans, Ewell, Figgatt, Flood, Graves, J. S. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jones, Johnson, Kincheloe, Leggett, Loving, Martin, McClintic, McKee, McNeil, Montague, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pollard, Porter, E. L. Roberts, J. Roberts, Sanger, Saunders, Scott, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Tinsley, R. H. Tyler, Waddill, Watkins, Webb, West, Williams, Wright and Young—71.

Mr. CATLETT moved to reconsider the vote by which the bill was passed; which motion was rejected.

The hour of half-past twelve o'clock P. M. having arrived,

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate is ready on its part to proceed to the execution of the joint order which has for its object the election of a city judge for Charlottesville.

Ordered, That Mr. DABNEY inform the Senate that the House is ready on its part to proceed to the execution of the joint order.

Mr. DABNEY nominated R. T. W. Duke for city judge for Charlottesville.

Mr. ELAM nominated George P. Hughes.

Ordered, That Mr. HARRIS of *Albemarle* inform the Senate that R. T. W. Duke, Jr., and George P. Hughes are in nomination in the House.

A message was received from the Senate by Mr. Gordon, who informed the House that R. T. W. Duke, Jr., and George P. Hughes are in nomination in the Senate.

The roll was called with the following result:

For R. T. W. Duke, Jr.,	48
George P. Hughes,	25

The vote was recorded as follows:

For R. T. W. DUKE, JR.—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Buford, Catlett, Coleman, Counts, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S Harris, Herring, Huffman, Hunter, Kincheloe, Leggett, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, West, Wilkins, Williams and Wright—48.

For GEORGE P. HUGHES—Messrs. Baskerville, Bristow, Goodman Brown, Corbett, Craft, Daingerfield, Dickey, Elam, A. W. Harris, Herring, Jones, Mayo, McCandlish, McNeil, Parr, Perkins, Phillps, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Tinsley and Treat—25.

The SPEAKER appointed Messrs. FLOOD, CATLETT and CORBETT the committee on the part of the House to count and report the joint vote.

The committee subsequently, by their chairman, reported as follows:

Whole number of votes cast,	108
Necessary to a choice,	55
R. T. W. Duke, Jr., received	69
George P. Hughes,	39

R. T. W. Duke, Jr., having received a majority of the whole number of votes cast, was declared duly elected city judge for Charlottesville for the term prescribed by law.

Messrs. CARDWELL and CRAWFORD stated that had they been present they would have voted for R. T. W. Duke, Jr.

Messrs. WADDILL and PEDIGO would have voted for George P. Hughes.

A message was received from the Senate by Mr. Hurt, who informed the House that the Senate had passed Senate bill entitled an act to amend and re-enact section 614 of chapter 27 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the compensation of county and city treasurers, as amended by an act approved February 29, 1888, No. 515; in which they repectfully request the concurrence of the House.

Special order,

No. 463. To provide for assessment of taxes, &c., was read a second time and amended.

Mr. ELAM moved to strike out, in 2d line, 2d section, "30 cents," and insert "25 cents"; which was rejected—yeas 39; nays 43.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Baskerville, Bristow, Goodman Brown, Corbett, Craft, Crismond, Curtis, Daingerfield, Dickey, Dupuy, Elam, Evans, Herring, Jarratt, Jones, Martin, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Morton Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Robinson, Sanger, Scott, Spencer, Treat, Waddill, Webb, West, Wright and Young—39.

NAYS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Buford, Catlett, Counts, Dabney, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hobson, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Watkins, Wilkins and Williams—43.

Mr. ECHOLS moved that the chair be vacated until half-past three o'clock P. M.; which was rejected—yeas 2; nays 52.

On motion of Mr. ECHOLS, the vote was recorded as follows:

YEAS—Messrs. Echols and Ryan—2.

NAYS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Baskerville, Bristow, Goodman Brown, Buford, Corbett, Craft, Daingerfield, Dickey, Dupuy, Edmondson, Elam, Evans, Figgatt, Flood, Gordon, Graves, Herring, Huffman, Jarratt, Jones, Johnson, Kincheloe, Loving, McCandlish, Montague, A. Moore, Jr., Wm. L. Moore, Overby, Parr, Perkins, Phillips, Pilcher, Pollard, Porter, Quesenberry, Riner, Robinson, Sanger, Saunders, Scott, Silver, Tinsley, Treat, R. H. Tyler, Waddill, Watkins, West, Wilkins and Young—52.

Mr. BUFORD moved the pending question; which was ordered—yeas 42; nays 33.

On motion of Mr. GORDON, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, W. A. Anderson, Arnold, Buford, Catlett, Counts, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Huffman, Hunter, Kincheloe, Leggett, McKee, A. Moore, Jr., J. E. Moore, Morton, Overby, Pilcher, Pollard, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, R. H. Tyler, Watkins, Wilkins, Williams and Wright—42.

NAYS—Messrs. Baskerville, Bristow, Goodman Brown, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, McCandlish, McClintic, Montague, Wm. L. Moore, Mustain, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Robinson, Sanger, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—33.

The bill was ordered to be engrossed to be read a third time—yeas 46; nays 28.

On motion of Mr. GORDON, the vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Buford, Catlett, Counts, Crismond, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, Hobson, Huffman, Hunter, Kincheloe, Leggett, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, J. Roberts, Ryan, Saunders, Silver, Simpson, Starke, Terrell, Tinsley, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—46.

NAYS—Messrs. Bristow, Goodman Brown, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McNeil, Montague, Wm. L. Moore, Parr, Perkins, Quesenberry, Robinson, Sanger, Spencer, Treat, Waddill, Webb and Young—28.

A message was received from the Senate by Mr. Wickham, who informed the House that the Senate insist on its substitute to House bill entitled an act to give aid to soldiers and marines of Virginia maimed or disabled in the war between the States, and to the widows of Virginia soldiers, sailors and marines who lost their lives in said war in the military service, No. 291.

Mr. ANDERSON of *Rockbridge* offered the following resolution:

Resolved (the Senate concurring), That a committee of conference of two members of the Senate and three of the House, be appointed to take into consideration the disagreeing votes of the two houses upon House bill No. 291, in reference to aid to disabled soldiers.

The resolution was agreed to.

Mr. ANDERSON of *Rockbridge* moved to reconsider the vote by which the resolution was agreed to; which motion was rejected.

Ordered, That Mr. ANDERSON of *Rockbridge* carry the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Koiner, who informed the House that the Senate had agreed to the resolution.

The SPEAKER appointed Messrs. ANDERSON of *Rockbridge*, POLLARD and BRISTOW the committee on the part of the House.

A message was received from the Senate by Mr. Koiner, who informed the House that the Senate had passed House bill entitled an act appropriating the public revenues for the fiscal years 1888 and 1889, No. 244, with amendments; in which they respectfully request the concurrence of the House.

A message was received from the Senate by Mr. Staples, who informed the House that the Senate had passed Senate bill entitled an act to provide for the deposit of State funds in certain cases, No. 241; in which they respectfully request the concurrence of the House.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate had passed Senate bill entitled an act to amend and re-enact section 3355, chapter 164 of Code of 1887, with reference to the appointment of commissioners in chancery, the reference of accounts to them and the proceedings therein, No. 507; in which they respectfully request the concurrence of the House.

On motion of Mr. ECHOLS, the chair was vacated until four o'clock P. M.

EVENING SESSION.

The chair was resumed at four o'clock P. M.

On motion of Mr. ECHOLS, the calendar was postponed for one minute.

On motion of Mr. ECHOLS, the committee for courts of justice was discharged from the consideration of Senate bill entitled an act to empower Edmund Pendleton, the clerk of the attorney-general, to appear for the commonwealth in the State and Federal courts, No. 447.

The bill was placed on the calendar.

The SPEAKER laid Senate bills Nos. 517 and 241 before the House.

The bills were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

On motion of Mr. WADDILL,

Resolved, That so much of Rule No. 85 as reads as follows: "But no such communication shall be made in relation to any action of the House while it remains open for consideration," be suspended for the remainder of this session of the General Assembly.

A message was received from the Senate by Mr. Stubbs, who informed the House that the Senate had passed Senate bill entitled an act to protect sheriffs and other officers charged with the execution of the order of any court of competent jurisdiction in reference to the assessment and collection of public revenue; in which they respectfully request the concurrence of the House.

A message was received from the Senate by Mr. Jones, who informed the House that the Senate had passed Senate bill entitled an act for the relief of the sureties of H. R. Burge, late treasurer of Botetourt county, No. 488; in which they respectfully request the concurrence of the House.

The SPEAKER laid the bill before the House.

The bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. FIGGATT, requiring its reference to a committee.

A message was received from the Senate by Mr. Read, who informed the House that the Senate had passed Senate bill entitled an act to provide compensation for W. W. Wood for prosecution of A. S. Lee, No. 142; in which they respectfully request the concurrence of the House.

The SPEAKER laid the bill before the House.

The bill was read twice and placed on the calender, the rule having been suspended on the motion of Mr. CATLETT, requiring its reference to a committee.

A message was received from the Senate by Mr. Heaton, who informed the House that the Senate had passed Senate bill entitled an act to incorporate the Paris telephone and telegraph company, in

the county of Fauquier, No. 517; in which they respectfully request the concurrence of the House.

The SPEAKER laid the bill before the House.

The bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. KINCHELOE, requiring its reference to a committee.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had passed Senate bill entitled an act to amend and re-enact section 46 of an act entitled an act to amend the charter of the town of Charlottesville, approved March 2, 1888, No. 518; in which they respectfully request the concurrence of the House.

The bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. DABNEY, requiring its reference to a committee.

The bill was taken up on motion of Mr. DABNEY and read a third time and passed.

On motion of Mr. FIGGATT,

Resolved, That when this House adjourn it adjourn to meet on Monday next at nine o'clock A. M.

On motion of Mr. ELAM, the committee for courts of justice were discharged from the consideration of Senate bill No. 6, entitled an act to amend and re-enact section 3720 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 27, 1887.

The bill was placed on the calendar.

On motion of Mr. DUPUY, the resolution pending for the calling of the roll to take up bills was suspended for this day—yeas 51; nays 28.

On motion of Mr. TREAT, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Buford, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Terrell, Tinsley, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright and Young—51.

NAYS—Messrs. Baskerville, Bristow, Craft, Daingerfield, Dickey, Elam, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Robinson, Sanger, Spencer, Treat, Waddill and Webb—28.

No. 268. Senate bill entitled an act to incorporate the Isle of Wight and Nansemond lumber and transportation company, was read a third time and passed.

No. 434. House engrossed bill to relieve Levi Midkiff, surety of Tyler Midkiff, was read a third time and passed—yeas 65.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. D. W. Anderson, W. A. Anderson, Arnold, Bristow, Buford, Catlett, Coleman, Corbett, Counts, Craft, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood,

Gordon, Graves, J. S. Harris, Herbert, Herring, Hobson, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Magruder, McCandlish, McClintic, McKee, McNeil, Montague, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Pilcher, Pollard, Porter, Quesenberry, E. L. Roberts, Ryan, Silver, Terrell, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, Wilkins, Williams and Wright—65.

Ordered, That Mr. SAUNDERS carry the bill to the Senate and request their concurrence.

No. 325. House bill to prohibit the buying, selling, delivering or receiving cotton in the seed on certain conditions, was read a second time and ordered to be engrossed to be read a third time.

No. 405. Senate bill entitled an act to amend an act to authorize the city of Fredericksburg and certain districts in Stafford and King George counties to purchase or lease Scott's bridge and make the same a free bridge, was read a third time and passed.

Mr. CRISMOND moved to reconsider the vote by which the bill was passed; which motion was rejected.

Ordered, That Mr. MONTAGUE carry the bill to the Senate and request their concurrence in the amendments of the House.

The amendments of the Senate to the following House bills were agreed to:

No. 134. House bill entitled an act providing for the sub-division of tracts of land into lots or parcels, and for the record of plats thereof.

No. 245. House bill entitled an act for the relief of William M. Dooley, of Campbell county.

No. 248. House bill entitled an act to incorporate the Virginia building and loan company.

No. 427. House bill entitled an act to amend and re-enact an act, approved March 3, 1886, entitled an act to authorize the voters of Pittsylvania county to vote for or against the repeal of the present fence law by magisterial districts.

No. 295. House bill entitled an act to authorize the extension of the Tennessee State line across the southwest corner of Virginia to the Kentucky State line at or or near Cumberland Gap.

The report of the committee of conference on No. 65, House bill entitled an act to provide for the payment of justices of the peace, witnesses and physicians in certain cases, was agreed to.

No. 265. Senate bill entitled an act providing for the disbursement of money appropriated to educational and eleemosynary institutions, was, on motion of Mr. ECHOLS, dismissed.

No. 349. Senate bill entitled an act making an appropriation for the hire of labor on the Capitol square, and to prevent convict labor thereon, was read a third time and rejected—yeas 41; nays 26.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Arnold, Baskerville, Bristow, Goodman Brown, Catlett, Coleman, Craft, Crawford, Crismond, Daingerfield, Dickey, Dupuy, Echols, Edwards, Elam, Ewell, Figgatt, Graves, Herbert, Huffman, Hunter, Jones, Kincheloe,

Mayo, McCandlish, Montague, Mustain, Parr, Pedigo, Perkins, Phillips, Pollard, Robinson, Sebrell, Simpson, Spencer, Terrell, Tinsley, Treat, Waddill and Young—41.

NAYS—Messrs. D. W. Anderson, W. A. Anderson, Curtis, Dabney, Edmondson, J. S. Harris, Hay, Johnson, Leggett, McKee, Wm. L. Moore, Overby, Pilcher, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Silver, R. H. Tyler, Watkins, Webb, West, Wilkins, Williams and Wright—26.

Mr. CURTIS moved to reconsider the vote by which the bill was rejected; which was agreed to.

The question recurring on the passage of the bill, was put and decided in the negative—yeas 49; nays 21.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Arnold, Baskerville, Bristow, Goodman Brown, Buford, Coleman, Craft, Crawford, Crismond, Curtis, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Elam, Figgatt, Graves, Herbert, Herring, Huffman, Hunter, Jarratt, Kincheloe, Mayo, McKee, Montague, J. E. Moore, Mustain, Parr, Pedigo, Perkins, Phillips, Pilcher, Pollard, J. Roberts, Robinson, Ryan, Sebrell, Simpson, Terrell, Tinsley, Treat, Lyon G. Tyler, Waddill, Watkins and Williams—49.

NAYS—Messrs. D. W. Anderson, Dickey, Flood, Gordon, J. S. Harris, Hay, Johnson, Leggett, Martin, McClintic, A. Moore, Jr., Wm. L. Moore, Overby, Quesenberry, Silver, Spencer, Webb, West, Wilkins, Wright and Young—21.

The following Senate bills were read a third time and passed:

No. 231. Senate bill entitled an act to incorporate the Norman iron railroad company.

No. 359. Senate bill entitled an act to amend and re-enact section 4219, chapter 205, Code of Virginia, edition of 1887, in regard to criminal proceedings against convicts.

No. 344. Senate bill entitled an act to provide compensation to B. F. Bland and Maryus Jones for services rendered the State—yeas 53; nays 11.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baskerville, Bristow, Catlett, Coleman, Counts, Craft, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herbert, Hunter, Jones, Johnson, Kincheloe, Leggett, Mayo, McCandlish, McClintic, McKee, McNeil, J. E. Moore, Mustain, Overby, Parr, Pedigo, Phillips, Pollard, E. L. Roberts, J. Roberts, Sanger, Sebrell, Simpson, Terrell, Tinsley, Watkins, West, Wilkins, Williams and Young—53.

NAYS—Messrs. Goodman Brown, Crawford, Elam, Herring, Martin, Wm. L. Moore, Perkins, Porter, Quesenberry, Robinson and Ryan—11.

No. 144. Senate bill entitled an act for the relief of Wm. H. Carter, of Washington county—yeas 62.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Arnold, Coleman, Craft, Crawford, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Edmondson, Edwards, Elam, Ewell, Figgatt,

Flood, Gordon, Graves, J. S. Harris, Herbert, Herring, Hunter, Jarratt, Jones, Kincheloe, Leggett, Martin, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, J. E. Moore, Wm. L. Moore, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Porter, Quesenberry, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Sebrell, Silver, Simpson, Spencer, Terrell, Tinsley, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright and Young—62.

No. 350. Senate bill entitled an act for the relief of Jacob Fisher and Robert E. Stuart—yeas 56; nays 2.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. D. W. Anderson, Arnold, Baskerville, Goodman Brown, Catlett, Coleman, Craft, Crawford, Curtis, Dabney, Daingerfield, Dickey, Edmondson, Elam, Figgatt, Flood, Gordon, Graves, J. S. Harris, Herring, Hunter, Jarratt, Jones, Kincheloe, Leggett, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, J. E. Moore, Wm. L. Moore, Mustain, Overby, Parr, Pedigo, Perkins, Pilcher, Porter, Quesenberry, E. L. Roberts, J. Roberts, Robinson, Ryan, Sanger, Saunders, Sebrell, Silver, Simpson, Spencer, Terrell, R. H. Tyler, Watkins, West and Young—56.

NAYS—Messrs. Johnson and Wright—2.

No. 402. Senate bill entitled an act for the relief of Lillias D. Womack, a lunatic—yeas 63.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Arnold, Goodman Brown, Coleman, Counts, Craft, Crawford, Crismond, Curtis, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Elam, Ewell, Figgatt Gordon, Graves, J. S. Harris, Herring, Hunter, Jarratt, Jones, Kincheloe, Leggett, Martin, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, J. E. Moore, Wm. L. Moore, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Porter, Quesenberry, J. Roberts, Robinson, Ryan, Sanger, Sebrell, Silver, Simpson, Spencer, Terrell, Tinsley, Treat, R. H. Tyler, Waddill, Watkins, West, Wilkins, Williams, Wright and Young—63.

No. 392. Senate bill entitled an act to make Jackson river, in the county of Alleghany, a lawful fence between certain points.

No. 363. Senate bill entitled an act for the relief of James Tilman, late treasurer of Powhatan county.

No. 145. Senate bill entitled an act to change the name of Iron Belt land, mining and development company of Virginia to the Virginia company.

No. 300. Senate bill entitled an act to amend and re-enact section 10 of an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal chapter 185 of the Acts of Assembly of 1879–'80.

Special order,

No. 244. House bill appropriating the public revenues for the fiscal years 1888 and 1889.

The amendment of the Senate as follows: In line 47, after "patients," strike out "$90,000," and insert "$85,000"; was disagreed to.

The amendment of the Senate as follows: In line 115, after word "dollars," insert "Support of unemployed convicts while burned buildings at penitentiary are being rebuilt, $10,000"; was disagreed to—yeas 45; nays 8.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. W. A. Anderson, Arnold, Ash, Bristow, Buford, Coleman, Counts, Crismond, Curtis, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Graves, J. S. Harris, Herbert, Herring, Hobson, Hunter, Jarratt, Jones, Johnson, Leggett, McCandlish, Montague, A. Moore. Jr., J. E. Moore, Mustain, Parr, Pedigo, Phillips, J. Roberts, Ryan, Saunders, Silver, Terrell, Watkins, Webb, West, Williams and Wright—45.

NAYS—Messrs. Speaker, Kincheloe, McKee, Overby, Pilcher, Pollard, E. L. Roberts and Wilkins—8.

The amendment of the Senate as follows: In line 27, after word "filed," insert "To superintendent of public buildings for paving passages in the basement of capitol and repairing the walk and approaches to the building, $700"; was disagreed to—yeas 39; nays 19.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. W. A. Anderson, Arnold, Ash, Baskerville, Bristow, Goodman Brown, Buford, Dabney, Daingerfield, Echols, Edwards, Elam, Figgatt, Graves, A. W. Harris, Herring, Hobson, Hunter, Jarratt, Jones, Leggett, Magruder, McCandlish, McKee, Montague, J. E. Moore, Wm. L. Moore, Overby, Pedigo, Perkins, Phillips, J. Roberts, Robinson, Silver, Terrell, Lyon G. Tyler, Waddill, West and Williams—39.

NAYS—Messrs. D. W. Anderson, Catlett, Curtis, Gordon, Herbert, Kincheloe, McNeil, Mustain, Parr, Pollard, Porter, Quesenberry, E. L. Roberts, Ryan, Simpson, Spencer, Treat, Webb and Wilkins—19.

The amendment of the Senate as follows:

In line 131, after word "thirty," insert "Five," so as to read, "Thirty-five thousand dollars."

—Was agreed to—yeas 63; nays 15.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Bristow, Buford, Catlett, Coleman, Corbett, Counts, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, A. W. Harris, J. S. Harris, Herbert, Hobson, Hunter, Jarratt, Jones, Johnson, Kincheloe, Leggett, Magruder, McCandlish, McKee, Montague, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pedigo, Phillips, Pilcher, Pollard, E. L. Roberts, J. Roberts, Robinson, Ryan, Saunders, Silver, Simpson, Terrell, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, West, Wilkins and Williams—63.

NAYS—Messrs. Ash, Baskerville, Goodman Brown, Herring, McClintic, NcNeil, William L. Moore, Perkins, Porter, Quesenberry, Spencer, Tinsley, Webb, Wright and Young—15.

The amendment of the Senate, as follows:

In line 101, after "home," strike out "ten," and insert "Fifteen."

—Was disagreed to—yeas 24; nays 44.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Arnold, Bristow, Buford, Corbett, Crawford, Curtis, Daingerfield, Echols, Edwards, Elam, A. W. Harris, Herring, Hobson, Jarratt, Jones, Phillips, Pilcher, J. Roberts, Ryan, Terrell, Treat, Lyon G. Tyler, R. H. Tyler and West—24.

NAYS—Messrs. D. W. Anderson, W. A. Anderson, Ash, Baskerville, Goodman Brown, Catlett, Coleman, Craft, Crismond, Dickey, Edmondson, Figgatt, Gordon, Graves, Herbert, Hunter, Johnson, Kincheloe, Leggett, Magruder, McCandlish, McKee, McNeil, A. Moore, Jr., J. E. Moore, Wm L. Moore, Mustain, Overby, Pedigo, Perkins, Quesenberry, E. L. Roberts, Robinson, Sebrell, Silver, Simpson, Spencer, Tinsley, Watkins, Webb, Wilkins, Williams, Wright and Young—44.

The amendment of the Senate as follows: In line 222, strike out "seventy," and insert "Eighty"; was agreed to—yeas 51; nays 15.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, Catlett, Counts, Craft, Crawford, Curtis, Daingerfield, Dupuy, Echols, Edmondson, Elam, Figgatt, Graves, A. W. Harris, Herbert, Herring, Hobson, Hunter, Jarratt, Jones, Johnson, Martin, Magruder, McCandlish, McClintic, McKee, McNeil, Montague, William L. Moore, Parr, Pedigo, Perkins, Pilcher, Porter, J. Roberts, Robinson, Saunders, Sebrell, Simpson, Spencer, Terrell, Tinsley, Lyon G. Tyler, Waddill, Webb, West, Williams and Young—51.

NAYS—Messrs. D. W. Anderson, W. A. Anderson, Arnold, Coleman, Flood, Gordon, A. Moore, Jr., Mustain, Overby, Pollard, Quesenberry, Ryan, Watkins, Wilkins and Wright—15.

Sundry amendments of the Senate were agreed to and sundry others were disagreed to.

Motions severally made to reconsider the votes by which the amendments of the Senate were agreed to and by which the amendments of the Senate were disagreed to, respectively, were rejected.

Ordered, That Mr. BUFORD inform the Senate of the action of the House.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate insist on its amendments and have agreed to a resolution, as follows:

Resolved (the House of Delegates concurring), That a joint committee consisting of three members of each House be appointed to take into consideration the disagreeing votes of the two houses on No. 244, House bill appropriating the public revenue, &c.; in which they respectfully request the concurrence of the House.

The resolution was agreed to.

Ordered, That Mr. DABNEY inform the Senate that the House had agreed to the resolution.

The SPEAKER appointed Messrs. BUFORD, MAGRUDER and MORTON the committee on the part of the House.

Subsequently the committee of conference presented a report.

Mr. POLLARD moved the pending question; which was ordered—yeas 51; nays 27.

On motion of Mr. WADDILL, the vote was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Buford, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, Mayo, McKee, A. Moore, Jr, J. E. Moore, Morton, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright—51.

NAYS—Messrs. Baskerville, Bristow, Goodman Brown, Daingerfield, Dickey, Elam, Herring, Jarratt, Jones, Martin, McCandlish, McClintic, Montague, Wm. L. Moore, Pedigo, Perkins, Phillips, Porter, Quesenberry, Robinson, Sanger, Spencer, Tinsley, Treat, Waddill, Webb and Young—27.

The report of the committee of conference as follows:

The committee on conference on the disagreeing votes of the two houses on the appropriation bill recommend that the Senate recede from amendments—

No. 1. And recommend that $86,500 be inserted.

No. 2. That the Senate recede from its amendment appropriating $10,000 for support of convicts unemployed and insert $5,000.

No. 3. That the House agree to the Senate amendment appropriating $700 for repairs to basement of capitol and approaches thereto.

No. 4. That the Senate recedes from its amendment in regard to vaccine agent.

No. 5. The Senate recedes from amendment in regard to pay of policemen.

No. 6. The Senate recedes from its amendment concerning the Soldiers' home.

No. 7. That the Senate recedes from its amendment and recommend that $86,500 be inserted.

No. 8. That the Senate recedes from its amendment in regard to Southwestern lunatic asylum.

No. 9. The Senate recedes from its amendment regarding medical colleges.

No. 10. That the House agrees to the Senate amendment in regard to appropriation for keeping Capitol square in order.

No. 11. That the House agrees to the Senate amendment concerning Virginia agricultural and mechanical college.

No. 12. That the House agree to Senate amendment in regard to vaccine agent.

No. 13. That the Senate recede from amendment in regard to pay of policemen.

No. 14. That the Senate recede from its amendment concerning the Soldiers' home.

No. 15. That the Senate recede from its amendment in regard to payment of interest on public debt.

16. That the Senate recede from 16th, 17th, 18th, 19th, 20th and 21st amendments and add in section 4 of House bill, after the word "thereof," in 387th line, "And bonds of the United States."

No. 22. That the Senate recede from its amendment concerning disabled soldiers.

No. 23. That the Senate recede from its amendment.

WM. LOVENSTEIN,
TAYLOR BERRY,
D. F. HOUSTON,
A. S. BUFORD,
JAS. W. MORTON,
P. W. MAGRUDER,
Committee on Conference.

—Was agreed to—yeas 77.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Baskerville, Bristow, Goodman Brown, Buford, Catlett, Coleman, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Herring, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Loving, Magruder, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, A. Moore, Jr., J. E. Moore, Wm. L. Moore, Morton, Mustain, Overby, Pedigo, Perkins, Phillips, Pilcher, Pollard, Quesenberry, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Spencer, Terrell, Treat, Lyon G. Tyler, R. H. Tyler, Waddill, Watkins, Webb, West, Wilkins, Williams, Wright and Young—77.

The committee of conference on the disagreeing votes of the two houses on House bill No. 291, to give aid to soldiers, &c., presented a report as follows:

The committee of conference on the disagreeing votes of the two houses upon House bill 291, providing for aid to soldiers and their widows, respectfully recommend that the Senate recedes from its substitute for said bill, and that the Senate adopts the House bill, with the following amendments:

1. In line 10, page 1, strike out "ninety," and insert "Sixty."

2. At end of section 1 add "Provided that at the time of such application and of receiving aid under this act, such widow shall be unmarried and a resident of Virginia; and provided further, that she shall receive such aid only so long as she remains unmarried and a resident of Virginia."

3. In lines 13 and 14, page 2, strike out "or with the judge of such court in vacation."

4. In line 7, page 4, after the words, "before me," insert "In open court."

5. In line 15, page 5, after words, "before me," insert "In open court."

6. In section 6, page 6, line 18, strike out "or vacation."

7. In same section, page 7, lines 1 and 2, strike out "attend whenever such application is heard and considered by the judge or court and shall."

8. In line 18, page 9, strike out "seventy," and insert "Sixty."

Respectfully submitted,

A. KOINER,
WMS. C. WICKHAM,
H. J. SMOOT,
Committee on part of Senate.

WILLIAM A. ANDERSON,
H. R. POLLARD,
L. C. BRISTOW,
Committee on part of House.

The report was agreed to.

On motion of Mr. POLLARD, the House adjourned until Monday next at nine o'clock A. M.

MONDAY, MARCH 5, 1888.

On motion of Mr. DUPUY, the reading of the Journal was dispensed with.

A communication from the Senate, by their clerk, was read as follows:

In Senate, March 3, 1888.

The Senate have agreed to the amendments proposed by the House of Delegates to Senate bills entitled an act to amend section 1 of chapter 14 of an act to fix the times for holding the terms of the circuit court of Bedford county, approved 14th January, 1882, No. 43; an act for the relief of G. S. Healey, sheriff of Middlesex county, No. 293; and an act to amend an act to authorize the city of Fredericksburg and certain districts in Stafford and King George counties to purchase or lease Scott's bridge and make the same a free bridge, No. 405.

They have agreed to the amendments proposed by the House of Delegates to Senate joint resolution transferring a certain claim of the State of Virginia against the government of the United States to the Mount Vernon avenue association, chartered by this State.

They have passed House bills entitled an act to amend and re-enact sections 6 and 10, chapter 233, Acts of Assembly 1883 and 1884, entitled an act incorporating the Farmville and Powhatan railroad company, No. 118; an act to consolidate Brighthope railway company with the Farmville and Powhatan railroad company, No. 328; an act to incorporate the Southern paper and pulp company, No. 351; an act to incorporate the Petersburg, Ettrick and Matoaca railway company, No. 364; an act to allow the district school board of Buchanan district, Botetourt county, to purchase Blue Ridge hall and for conveyance of same, No. 366; an act to provide for a new registration in the county of Appomattox, No. 377; an act to incorporate the Commercial club of Berkley, Norfolk county, Virginia, No. 380; an act for the relief of G. W. Howbert, of Roanoke county, No. 386; an act to incorporate the Rockbridge fair company, No. 391; an act to incorporate the town of Estillville, in the county of Scott, No. 394; an act to extend the time of settlement for John C. Gray, treasurer of Washington county, No. 401; an act to empower the trustees of the district school boards of Gills' Creek and Black Water school districts, Franklin county, to use any surplus county public school funds belonging to said districts for the purpose of purchasing or erecting buildings for school purposes or discharging any indebtedness of the said district, No. 413; an act to amend section 1 of an act entitled an act to authorize the mayor and common council of the town of Chatham, in the county of Pittsylvania, to borrow money, approved the 18th of January, 1888, No. 436; an act to incorporate the Building association of American lodge, No. 1789, Grand united order of Odd-Fellows of the city of Richmond, No. 456; an act to incorporate the Fincastle telephone and telegraph company, No. 464; an act to remove the political disabilities of W. S. Matthews and others, No. 482; an act repealing an act protecting rabbits or hares in the county of Chesterfield, No. 178; an act to repeal chapter 149 of the Acts of the extra session of 1884, entitled an act for the protection of fish in Back bay, in Princess Anne county, Virginia, approved November 27, 1884, No.3 89; an act to relieve Levi Midkiff, surety of Tyler Midkiff, No. 434; and an act to relieve Andrew Rodgers from the payment of a license tax for peddling in the county of Pulaski, No. 435.

They have passed, with amendments, House bills entitled an act to require the judge of Mecklenburg county to submit the question of continuing or repealing the present fence law to the qualified voters of any magisterial district or districts in said county, No. 356; and an act to prohibit fishing in the waters of the north fork of Holston river by seines and traps or by poisoning or by killing with dynamite, No. 198.

They have agreed to House joint resolution requiring superintendent of public printing to have certain sections of the Code of 1887 in relation to road law printed.

They have passed Senate bills entitled an act to incorporate the Southern improvement association, No. 73; an act to provide for working the public roads of Elizabeth City, No. 223; an act to incorporate the Estillville land and improvement company, No. 313; an act to prescribe the times for holding the circuit courts in the Ninth judicial circuit, No. 324; an act to incorporate the Virginia association of stationary engineers, No. 426; an act to authorize Samuel W. Lyons, treasurer of Norfolk county, further time to collect tax-tickets for the year 1885, for which he has accounted to the State and county, No. 480; an act to incorporate the Virginia printing and lithographing company, No. 491; an act to authorize the trustees of the Mackennie church manse, at Accomac courthouse, Accomac county, to sell and convey the same, No. 492; an act to incorporate the Virginia trading company, No. 501; an act to authorize the mayor of the town of West Point, Va., to sell certain public property of said town, No. 508; an act to incorporate the Chesapeake cotton compress company, No. 509; an act to incorporate the Chesapeake steamship line, No. 510; an act to amend charter of town of New Market, Shenandoah county, Va., so as to extend limits, No. 516; and an act to amend and re-enact section 1101, chapter 46 of Code of 1887, authorizing internal improvement companies to take wood, stone, gravel, earth or water from convenient lands, No. 458.

They have agreed to Senate joint resolutions relative to the duties of the auditor of public accounts.

And have disagreed to the report of the committee of conference on House bill No. 244.

And have agreed to a joint resolution for a committee of conference.

In which amendments, bills and resolutions they respectfully request the concurrence of the House of Delegates.

No. 198. House bill, was placed on the calendar, the rule having been suspended on motion of Mr. ROBERTS of *Smyth and Bland*, requiring its reference to a committee.

No. 356. House bill, was referred to the committee on counties, cities and towns.

Nos. 313, 508, 324, 73, 480, 491, 492, 509, 510, 516 and 458. Senate bills, were read twice and placed on the calendar, the rule having been suspended on motions severally made, requiring their reference to committees.

Nos. 426 and 501. Senate bills, were read twice and referred to the committee on propositions and grievances.

No. 223. Senate bill, was read twice and referred to the committee on counties, cities and towns.

No. 507. Senate bill entitled an act to amend and re-enact section 3355, chapter 164 of Code of 1887, with reference to the appointment of commissioners in chancery, the reference of accounts to

them and the proceedings therein, was twice read and referred to the committee for courts of justice.

No. 200. Senate bill entitled an act to protect sheriffs and other officers charged with the execution of the order of any court of competent jurisdiction in reference to the assessment and collection of public revenue, was read twice and placed upon the calendar, the rule having been suspended on motion of Mr. POLLARD, requiring its reference to a committee.

Senate joint resolution directing county and city treasurers not to sell lands for delinquent taxes, &c., was read twice and placed on the calendar, the rule having been suspended on motion of Mr. TINSLEY, requiring its reference to a committee.

Senate joint resolution relative to the duties of the auditor of public accounts, was read twice and referred to the committee on finance.

Senate resolution as follows:

Resolved, That the House of Delegates be requested to return to the Senate House bill No. 374.

—Was disagreed to.

Senate resolution as follows was agreed to.

Resolved (the House of Delegates concurring), That a further committee of conference of three on the part of the Senate and three on the part of the House be appointed to consider the disagreeing votes between the two houses on House bill No. 244, appropriating the public revenues for the fiscal years 1888 and 1889.

Ordered, That Mr. HAY inform the Senate that the House had agreed to the resolution.

The SPEAKER appointed Messrs. BUFORD, MAGRUDER and ELAM the committee on the part of the House.

No. 515. Senate bill entitled an act to amend and re-enact section 614 of chapter 27 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the compensation of county and city treasurers, as amended by an act approved February 29, 1888, was read a third time and passed.

On motion of Mr. WADDILL, the committee on counties, cities and towns was discharged from the consideration of Senate bill No. 223, entitled an act to provide for working the public roads of Elizabeth City county.

The bill was placed on the calendar.

The committee on enrolled bills report that the governor has approved the following bills:

An act to refund certain taxes to R. M. Kirtley, erroneously assessed.

An act giving P. D. Divers, late treasurer of Franklin county, and his deputies power of levy and distress to collect certain uncollected tax-tickets now in his hands.

An act to amend and re-enact section 4 of an act entitled an act to regulate the practice of medicine and surgery, approved January 31, 1884.

An act to amend and re-enact section 2042 of the Code of 1887, in relation to trespass by cattle.

An act to allow Mrs. Mary J. Young to erect a wharf, platform, shed and other necessary buildings for conducting the business at Franklin City, Accomac county, Va., adjoining her lands.

An act to incorporate the Greenleaf Johnson lumber company.

An act extending the time to Charles W. Woolfolk, treasurer of Orange county, for the collection of certain taxes and levies.

An act to incorporate the Danville tobacco association.

An act to amend section 1 of an act to provide for a new registration of voters at Stock Yards precinct, in the county of Roanoke, approved May 18, 1887.

An act to provide for the draining of low lands in Palmer's Spring district, in the county of Mecklenburg.

An act to provide for the payment of the members of the special joint committee of the General Assembly of Virginia, acting under resolution of the 8th of February, 1886, and for the payment of the accountant of the said committee.

An act to relieve Fannie E. Harvie of taxes erroneously charged.

An act to exempt from taxation the Sanford charity school fund of the county of Accomac.

An act to allow the qualified voters of Drainsville district, in the county of Fairfax, to vote on the question of continuing or repealing the present fence law.

An act to incorporate the Mutual live stock association of Accomac parish.

An act to incorporate the Railway Reform rolling-stock company.

An act to establish a normal school at William and Mary college in connection with its collegiate course.

An act extending the time for collecting taxes to James W. Tilman, late treasurer of Powhatan county.

An act to amend and re-enact section 2, chapter 196, Acts 1883–'4, entitled an act to provide for working the roads, repairing bridges and opening new roads in the counties of Frederick, Clarke, Warren and Augusta.

An act to incorporate the Danville real estate investment, trust and land title company.

An act to incorporate the Portsmouth and South Mills railway company.

An act to prescribe what judges may practice law.

An act to authorize the qualified voters of Warwick county to vote upon the question of the removal of the courthouse of said county.

An act to relieve Rev. Isaac Long, of Rockingham county, of taxes improperly paid by him.

An act extending the time for one year for the collection of certain taxes and levies by the treasurer of Fluvanna county and his deputies.

An act to provide for a new registration of voters of Roanoke City.

An act to exempt the property of the International committee of the young men's christian association, located at the University of Virginia, from taxation.

An act to incorporate the Rosenberger & Shirley telephone company.

An act to amend and re-enact section 3 of an act entitled an act to incorporate the Shenandoah Valley railroad company, and to issue preferred stock or controvertible, under any plan of reorganization thereof, approved May 2, 1888.

An act to relieve Levi Midkiff, surety of Tyler Midkiff.

An act to relieve Andrew Rodgers from the payment of a license tax for peddling in the county of Pulaski.

An act to repeal chapter 149 of the Acts of the extra session of 1884, entitled an act for the protection of fish in Back bay in Princess Anne county, Va., approved November 27, 1884.

An act to amend section 1 of an act entitled an act to authorize the mayor and common council of the town of Chatham, in the county of Pittsylvania, to borrow money, approved the 18th January, 1888.

An act repealing an act protecting rabbits or hares in the county of Chesterfield.

An act to remove the political disabilities of W. S. Mathews and others.

An act for the relief of Lillias D. Womack, a lunatic.

An act to make Jackson river, in the county of Alleghany, a lawful fence between certain points.

An act to give aid to soldiers, sailors and marines of Virginia maimed or disabled in the war between the States, and to the widows of Virginia soldiers, sailors and marines who lost their lives in said war in the said military service.

An act appropriating public revenues for the fiscal years 1888 and 1889.

An act authorizing the board of supervisors of Norfolk county, in their discretion, to pay over to the city collector of Norfolk city, for the use of Brambleton ward, in said city, a portion of the taxes collected from citizens of said ward by the treasurer of Norfolk county for the year 1887.

An act to incorporate the Fauquier and Rappahannock railroad company.

An act to incorporate the Rockbridge fair company.

An act to incorporate the Alexandria perpetual building fund association.

An act to incorporate the Virginia building and loan company.

An act to amend an act to authorize the city of Fredericksburg and certain districts in Stafford and King George counties to purchase or lease Scott's bridge, and make the same a free bridge.

An act to amend and re-enact section 10 of an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing; and to repeal chapter 185 of the Acts of Assembly of 1879–'80.

An act to amend and re-enact section 1101, chapter 46 of Code of 1887, authorizing internal improvement companies to take wood, stone, gravel, earth or water from convenient lands.

Joint resolution directing county and city treasurers not to sell lands for delinquent taxes.

An act to prescribe the times for holding the circuit courts in the Ninth judicial circuit.

An act for the relief of Samuel Sweeny and Elkanah Sweeny, of Floyd county.

An act to amend and re-enact section 1 of an act approved March 10, 1884, entitled an act to amend and re-enact section 1 of an act approved April 14, 1882, entitled an act to amend and re-enact an act passed March 3, 1880, entitled an act to amend and re-enact an act passed April 2, 1879, authorizing the board of supervisors to determine what amount shall be paid to certain county officers.

An act for the relief of John H. Sears, late treasurer of Mathews county.

An act for the relief of the sureties of H. R. Burger, late treasurer of Botetourt county.

An act for the relief of the sureties of C. H. Ingles, late treasurer of Henry county.

An act to incorporate the Oakwood cemetery company in the county of Surry.

An act to amend and re-enact section 3 of an act entitled an act to incorporate the Tazewell coal and iron company, approved April 27, 1887.

An act for the relief of the sureties of John B. Pitzer, late treasurer of Alleghany county.

An act to incorporate the Norma iron railroad company.

An act relative to defining the line separating Virginia from West Virginia.

An act to incorporate the Hebrew cemetery company of Richmond.

An act to amend and re-enact sections 6 and 10, chapter 233, Acts of Assembly 1883 and 1884, entitled an act incorporating the Farmville and Powhatan railroad company.

An act to incorporate the Building association of American lodge, No. 1789, Grand united order of Odd-Fellows of the city of Richmond.

An act for the relief of James A. Tilman, late treasurer of Powhatan county.

An act for the relief of Wm. H. Carter, of Washington county.

An act to incorporate the Isle of Wight and Nansemond lumber and transportation company.

An act to amend and re-enact section 4219, chapter 205, Code of Virginia, edition of 1887, in regard to criminal proceedings against convicts.

An act to incorporate the Fincastle telephone and telegraph company.

An act to incorporate the Commercial club of Berkley, Norfolk county, Va.

An act to provide for a board of agriculture of Virginia, and making appropriations therefor.

An act for the relief of William M. Dooley, of Campbell county.

An act to empower the trustees of the district school boards of Gill's Creek and Black Water school districts, Franklin county, to use any surplus county public school funds belonging to said districts for the purpose of purchasing or erecting buildings for school purposes, or discharging any indebtedness of the said district.

An act to amend and re-enact section 46 of an act entitled an act to amend the charter of the town of Charlottesville.

An act to extend the time of settlement for John C. Gray, treasurer of Washington county.

An act for the relief of G. W. Howbert, of Roanoke county.

An act to consolidate the Brighthope railway company with the Farmville and Powhatan railroad company.

An act to provide a new registration in the county of Appomattox.

An act to allow the district school board of Buchanan district, Botetourt county, to purchase Blue Ridge hall, and for conveyance of same.

An act to incorporate the Petersburg, Ettrick and Matoaca railway company.

An act for the relief of Jacob Fisher and Robert E. Stuart.

An act to provide compensation to B. F. Bland and Maryus Jones for services rendered the State.

An act to change the name of Iron Belt land, mining and development company of Virginia to the Virginia company.

An act providing for the sub-division of tracts of land into lots or parcels, and for the record of plats thereof.

An act to relieve the owners of certain lands sold to the commonwealth for the non-payment of taxes and liens accrued prior to 1884.

An act to amend and re-enact an act entitled an act to amend and re-enact sections 2616 and 2620 of an act entitled an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, approved February 23, 1888.

An act to authorize the extension of the Powell Valley railroad from the Tennessee State line across the southwest corner of Virginia to the Kentucky State line at or near Cumberland Gap.

An act to amend and re-enact section 437 of an act entitled an act to revise, arrange and consolidate into a Code the several statutes of the commonwealth.

An act to change the boundary lines between the counties of Rockbridge and Botetourt, south of James river, and to transfer a small portion of Botetourt to Rockbridge county.

An act to provide for abating public nuisances, and for disposing of fines imposed therefor.

An act to amend and re-enact an act, approved March 3, 1886, entitled an act to authorize the voters of Pittsylvania county to vote for or against the repeal of the present fence law by magisterial districts.

An act to incorporate the town of Estillville, in the county of Scott.

An act to amend and re-enact section 13 of an act for the preservation of oysters, and to obtain revenue for the privilege of taking them within the waters of the commonwealth, approved March 4, 1884, as amended by the act approved August 27, 1884, as amended by the acts approved November 26, and November 29, 1884, as amended by the act of March 6, 1886, as amended by the act approved April 28, 1887.

An act to amend section 26 of an act entitled an act to provide for working and keeping in repair the public roads of Botetourt.

An act to submit the question of increasing the levy for district school purposes, including lengthening of school term, to the qualified voters of Occoquan district, Prince William county.

An act to amend Acts of Assembly 1885–'6, page 236, in regard to amount of treasurer's bond for city of Lynchburg.

An act to allow J. R. Alrich further time to collect certain tax-tickets.

An act to incorporate the Washington, Western and Southwestern railroad company.

An act to amend and re-enact section 614 of chapter 27 of an act to revise, arrange and consolidate into a Code the general statutes of the commonwealth, approved May 16, 1887, in relation to the compensation of county and city treasurers, as amended by an act approved February 29, 1888.

An act to incorporate the Midlothian coal company.

An act for the relief of G. S. Healey, sheriff of Middlesex county.

An act to amend section 1 of chapter 14 of an act to fix the times for holding the terms of the circuit court of Bedford county, approved January 14, 1882.

An act to incorporate the Southern paper and pulp company.

An act transferring a certain claim of the State of Virginia against the government of the United States to the Mount Vernon avenue association, chartered by this State.

An act to define and extend the powers of the council of the city of Portsmouth.

An act to provide for the payment of justices of the peace, witnesses and physicians in certain cases.

An act to give consent of this State to purchase by the United States of a lot of land in the city of Portsmouth for the use of the light-house board.

An act to relieve the sureties of A. T. Creel.

An act to give the right of appeal in cattle-guard cases.

An act to prohibit fishing in the waters of the north fork of Holston river by seines and traps or by poisoning or killing with dynamite.

An act for the reimbursement of Richard E. Frayser for money expended by him in behalf of the commonwealth.

An act to authorize the town of Goodson to subscribe to the capital stock of the Bristol and Danville railroad company.

An act for the relief of John Purvis, a lunatic.

An act for the relief of R. H. Downman.

An act for the relief of D. C. Mallory, treasurer of Grayson county.

An act to incorporate the Southern improvement association.

An act authorizing a new registration in the county of Wythe.

An act to authorize T. E. Henshaw and W. H. Ruark to place a boom in Mattaponi river.

The following Senate bills were read a third time and passed:

No. 324. Senate bill entitled an act to prescribe the times for holding the courts in the Ninth judicial circuit.

No. 73. Senate bill entitled an act to incorporate the Southwestern improvement association.

No. 505. Senate bill entitled an act to authorize the town of Goodson to subscribe to the capital stock of the Bristol and Danville railroad company.

No. 205. Senate bill entitled an act for the relief of John Henry Purvis, a lunatic—yeas 63; nays 1.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, W. A. Anderson, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Coleman, Counts, Craft, Crawford, Curtis, Daingerfield, Dickey, Edmondson, Edwards, Elam, Evans, Figgatt, Flood, Gordon, Graves, A. W. Harris, Herbert, Herring, Huffman, Hunter, Jones, Kincheloe, Leggett, Loving, Martin, McCandlish, McClintic, McKee, McNeil, Montague, J. E. Moore, Morton, Mustain, Pedigo, Perkins, Phillips, Riner, E. L. Roberts, Ryan, Saunders, Silver, Simpson, Spencer, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Webb, West, Wilkins, Williams, Wright and Young—63.

NAYS—Mr. Johnson—1.

No. 436. Senate bill entitled an act for the relief of the sureties of John B. Pitzer, late treasurer of Alleghany county—yeas 66.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Carter, Coleman, Counts, Craft, Crawford, Curtis, Daingerfield, Dickey, Echols, Edmondson, Edwards, Elam, Evans, Ewell, Figgatt, Gordon, Graves, A. W. Harris, Herbert, Herring, Hobson, Huffman, Hunter, Jones, Kincheloe, Leggett, Loving, Martin, Magruder, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, J. E. Moore, Morton, Mustain, Pedigo, Perkins, Phillips, Pilcher, Riner, E. L. Roberts, J. Roberts, Ryan, Scott, Simpson, Spencer, Terrell, Lyon G. Tyler, R. H. Tyler, Waddill, Webb, Wilkins, Williams, Wright and Young—66.

No. 488. Senate bill entitled an act for the relief of the sureties of H. R. Burger, late treasurer of Botetourt county—yeas 59; nays 2.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Carter, Coleman, Craft, Crawford, Curtis, Dickey, Edmondson, Evans, Ewell, Figgatt, Graves, A. W. Harris, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Loving, Mayo, McCandlish, McClintic, McKee, McNeil, Montague, J. E. Moore, Morton, Mustain, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Porter, Riner, E. L. Roberts, J. Roberts, Scott, Spencer, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Webb, West, Williams, Wright and Young—59.

NAYS—Messrs. Allensworth and Johnson.

No. 261. Senate bill entitled an act to give the right of appeal in cattle-guard cases.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had agreed to the amendments of the House to Senate bill entitled an act to incorporate the Norma iron railroad company, No. 231.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had agreed to the report of the committee of conference on House bill No. 65, entitled an act to provide for the payment of justices of the peace, witnesses and physicians in certain cases.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate had agreed to a resolution as follows:

Resolved by the Senate (the House of Delegates concurring), That the special joint committee appointed to enquire into the subject of obtaining revenue from the oyster interests be increased by the addition of one member on part of the Senate and two on part of the House of Delegates; in which they respectfully request the concurrence of the House.

The resolution was agreed to.

Ordered, That Mr. BRISTOW inform the Senate that the House had agreed to the resolution.

A message was received from the Senate by Mr. Hodges, who informed the House that the Senate had passed House bill entitled an act to give consent of this State to purchase by the United States of a lot of land in the city of Portsmouth for the use of the light-house board, No. 264; and an act to define and extend the powers of the council of the city of Portsmouth, No. 439.

A message was received from the Senate by Mr. Dalton, who informed the House that the Senate had passed Senate bill entitled an act to incorporate the Bay-Side turnpike company, No. 442; in which they respectfully request the concurrence of the House.

The bill was read twice and placed on the calendar, the rule having been suspended on motion of Mr. STARKE, requiring its reference to a committee.

A message was received from the Senate by Mr. Rhea, who informed the House that the Senate had agreed to a joint resolution in relation to educational, agricultural and manufacturing interests: in which they respectfully request the concurrence of the House.

A message was received from the Senate by Mr. Stubbs, who informed the House that the Senate had passed House bill entitled an act to authorize T. E. Henshaw and W. H. Ruark to place a boom in Mattaponi river, No. 409.

A message was received from the Senate by Mr. Dalton, who informed the House that the Senate had passed House bill entitled an act authorizing the board of supervisors of Norfolk county, in their discretion, to pay over to the city collector of Norfolk city for the use of Brambleton ward, in said city, a portion of the taxes collected from the citizens of said ward by the treasurer of Norfolk county for the year 1887, No. 360.

A message was received from the Senate by Mr. Lovenstein, who informed the House that the Senate had agreed to a joint resolution for the introduction of the studies of Physiology and Hygiene in the public schools of the State; in which they respectfully request the concurrence of the House.

The resolution was read twice and placed on the calendar, the rule having been suspended on motion of Mr. ANDERSON of *Rockbridge*, requiring its reference to a committee.

A message was received from the Senate by Mr. Koiner, who informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on No. 244, House bill appropriating the public revenues for the fiscal years 1888 and 1886.

The report of the committee of conference, as follows:

The committee of conference on the disagreeing votes of the houses on the appropriation bill recommend—

No. 1. That the Senate recede from its amendment, and that $86,500 be inserted.

No. 2. That the Senate recede from its amendment appropriating $10,000 for support of convicts unemployed, and insert $5,000.

No. 3. That the House agree to the Senate amendment appropriating $700 for repairs to basement of capitol and approaches thereto.

No. 4. That the Senate recede from its amendment in regard to vaccine agent.

No. 5. That the Senate recedes from amendment in regard to pay of policemen.

No. 6. That the Senate recede from its amendment concerning the Soldiers' Home.

No. 7. That the Senate recedes from its amendment and recommend that $86,500 be inserted.

No. 8. That the Senate recedes from its amendment in regard to Southwestern lunatic asylums.

No. 9. That the Senate recede from its amendment regarding medical college.

No. 10. That the House agrees to Senate amendment in regard to appropriation for keeping Capitol square in order.

No. 11. That the House agrees to Senate amendment concerning Virginia agricultural and mechanical college.

No. 12. That the Senate recedes from its amendment in regard to vaccine agent.

No. 13. That the Senate recede from its amendment in regard to pay of policemen.

No. 14. That the Senate recedes from its amendment concerning the Soldiers' Home.

No. 15 and 16: Insert as follows paper marked "A."

No. 22. That the Senate recede from its amendment to pay appli cation of wounded soldiers on file in the office of the auditor, &c.

Respectfully submitted,

A. KOINER,
W. C. WICKHAM,
SAM'L. W. WILLIAMS,
Committee on part of Senate.

A. S. BUFORD,
W. C. ELAM,
P. W. MAGRUDER,
Committee on part of House.

"A."

They recommend that the provisions of the bill and amendments thereto, as set forth in sections 2, 3, 4, 5, 6 and 7 be stricken out, and the following inserted in lieu thereof:

2. To pay the interest on the public debt, funded under the act approved February 14th, 1882, entitled an act to ascertain and declare Virginia's equitable share of the debt and so forth, a sum sufficient for that purpose is hereby appropriated.

3. So much of the public revenue as may be received into the treasury after the 30th day of September, 1885, and the surplus of all other appropriations made prior to that date, unexpended within the two fiscal years hereinbefore provided for, and all other moneys not otherwise appropriated by law, shall constitute a general fund to defray such expenses authorized by law as are not herein particularly provided for.

4. It shall be the duty of the commissioners of the sinking fund to meet on the 1st Monday in April, 1886, and on the 1st Monday in every month thereafter, up to and including the month of April, 1888, and to determine at each of such meetings what sum, if any,

can be spared from the treasury, after making ample allowance for all the expenses of the government, and of the public schools, and for the payment of interest on the three per centum bonds issued under the act of February 14th, 1882, and for all other appropriations. If it be determined by said commissioners that there is a surplus in the treasury, after making due allowance as aforesaid, they shall forthwith certify to the treasurer of the commonwealth what sum, not exceeding fifty thousand dollars in any month, they may determine to invest, as herein provided; and the treasurer shall, on or before the 20th day of the same month, place the sum so certified to the credit of said commissioners. The said commissioners shall, immediately after their meeting, advertise once a week, for two weeks, in one or more newspapers published in the city of Richmond, that they will receive offers for the sale of such amount of the said three per centum bonds, issued under the act of February 14th, 1882. All such offers shall be in writing, and shall be sealed, and shall be opened by the said commissioners, or a majority of them, at noon on the 20th day of the month, in the presence of the governor of the commonwealth, or in event of his absence, in the presence of the secretary of the commonwealth. If the 20th day of the month falls on Sunday or on a legal holiday, the said offers shall be opened on the next day which is not a legal holiday. The bonds which are offered at the lowest prices shall be purchased by the commissioners to the extent that the fund to their credit as aforesaid will enable them to purchase; and said commissioners shall have authority to reject any and all bids made. All bonds purchased under this act shall be so listed on the minutes of the board as to show the number and denomination of each, with the date of purchase and the price paid, and after being so listed, shall be delivered to the treasurer, who shall label and file the same in his office. No bond shall be purchased unless all unmatured coupons shall be attached thereto. All interest now due on the three per centum bonds heretofore purchased by said commissioners under the previous act, and all interest hereafter accruing thereon, as well as all interest that may accrue on bonds purchased under this act, shall also be used by said commissioners in carrying out the provisions of this act, in addition to the amounts to be drawn from the treasury as hereinbefore authorized. For all bonds so purchased, as well as expenses incurred under this act, the said commissioners shall, by special order entered on their minutes, authorize the second auditor to issue his warrants upon the treasurer. The said commissioners shall keep an accurate journal of their proceedings, and proper books of account, and shall make a full report of their transactions to each session of the General Assembly.

—Was agreed to—yeas 62; nays 20.

The vote required by the Constitution was recorded as follows;

YEAS—Messrs. Speaker, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Bristow, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Elam, Ewell, Figgatt, Flood,

Gordon, Graves, Hay, Herbert, Herring, Huffman, Hunter, Johnson, Kincheloe, Leggett, Magruder, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Pedigo, Perkins, Phillips, Pilcher, Pollard, E. L. Roberts, J. Roberts, Robinson, Ryan, Saunders Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams and Wright —62.

NAYS.—Messrs. Allensworth, Goodman Brown, John A. Browne, Daingerfield, Evans, A. W. Harris, Jones, Martin, Mayo, McCandlish, McClintic, Montague, Parr, Porter, Roane, Spencer, Treat, Waddill, Webb and Young—20.

Ordered, That Mr. BUFORD inform the Senate that the House had agreed to the report of the committee of the conference.

No. 127. Senate bill for the relief of the sureties of C. H. Ingles, late treasurer of Henry county,

The amendment proposed by the committee on finance, as follows:

Section 1, lines 2 and 3, strike out "Trustee and."

—Was agreed to.

The amendment being presently engrossed, the bill was read a third time and passed—yeas 53; nays 4.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Arnold, Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Catlett, Coleman, Counts, Craft, Crawford, Curtis, Daingerfield, Dickey, Edwards, Elam, Evans, Figgatt, Graves, A. W. Harris, Herbert, Herring, Huffman, Hunter, Jarratt, Martin, Mayo, Montague, A. Moore, Jr., J. E. Moore, Morton, Mustain, Parr, Pedigo, Perkins, Phillips, Pollard, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Saunders, Starke, Terrell, Waddill, Webb, West and Williams—53.

NAYS—Messrs. Baldwin, Flood, Johnson and Overby—4.

Ordered, That Mr. PEDIGO carry the bill to the Senate and request their concurrence in the amendment of the House.

A message was received from the Senate by Mr. Staples, who informed the House that the Senate had agreed to House amendment to No. 127, Senate bill entitled an act for the relief of the sureties of C. H. Ingles, late treasurer of Henry county.

The following Senate bills were read a third time and passed:

No. 192. Senate bill entitled an act for the relief of R. H. Downman—yeas 58; nays 6.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Coleman, Counts, Craft, Crawford, Curtis, Daingerfield, Echols, Edmondson, Edwards, Evans, Ewell, Figgatt, Graves, A. W. Harris, J. S. Harris, Herbert, Hobson, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Loving, Martin, Mayo, McClintic, Montague, A. Moore, Jr., J. E. Moore, Mustain, Parr, Pedigo, Perkins, Phillips, Pilcher, Riner, E. L. Roberts, J. Roberts, Ryan, Simpson, Spencer, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, West, Williams and Young—58.

NAYS—Messrs. Catlett, Hay, McCandlish, Overby, Pollard and Quesenberry—6.

No. 395. Senate bill entitled an act to amend and re-enact section 3 of an act entitled an act to incorporate the Tazewell coal and iron company, approved April 27, 1887.

No. 314. Senate bill entitled an act to amend and re-enact section 1 of an act approved March 10, 1884, entitled an act to amend and re-enact section 1 of an act approved April 14, 1882, entitled an act to amend and re-enact an act passed March 3, 1880, entitled an act to amend and re-enact an act passed April 2, 1879, authorizing the board of supervisors to determine what amount shall be paid to certain county officers, was read a third time and passed.

Mr. FLOOD moved to reconsider the vote by which the bill was passed; which motion was rejected—yeas 34; nays 43.

On motion of Mr. FLOOD, the vote was recorded as follows:

YEAS—Messrs. Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Catlett, Crawford, Dabney, Dupuy, Edmondson, Ewell, Figgatt, Flood, Graves, J. S. Harris, Hay, Huffman, Hunter, Leggett, A. Moore, Jr., J. E. Moore, Morton, Overby, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Terrell, West, Wilkins, Williams and Wright—34.

NAYS—Messrs. Speaker, Baskerville, Bristow, Goodman Brown, John A. Browne, Carter, Corbett, Craft, Curtis, Dickey, Echols, Evans, Gordon, A. W. Harris, Herring, Hobson, Jarratt, Jones, Kincheloe, Martin, Mayo, McCandlish, McClintic, Montague, Mustain, Parr, Pedigo, Perkins, Phillips, Pilcher, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Spencer, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler, Webb and Young—43.

No. 485. Senate bill entitled an act authorizing a new registration in the county of Wythe, was read a third time and passed.

No. 157. Senate bill entitled an act for the relief of J. H. Sears, late treasurer of Mathews county.

The amendment proposed by the committee on finance, as follows:

In Section 2, line 6, after the word "bonds," insert "at their face value."

—Was agreed to.

The amendment being presently engrossed,

The bill was read a third time and passed—yeas 58.

The vote required by the Constitution, was recorded as follows:

YEAS—Messrs. Allensworth, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Catlett, Coleman, Corbett, Craft, Curtis, Daingerfield, Dickey, Echols, Evans, Figgatt, Gordon, Graves, A. W. Harris, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Loving, Martin, Magruder, McCandlish, McClintic, McNeil, Montague, A. Moore, Jr., J. E. Moore, Morton, Mustain, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Simpson, Spencer, Starke, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Webb, West, Williams and Young—58.

Ordered, That Mr. BRISTOW carry the bill to the Senate and request their concurrence in the amendment of the House.

A message was received from the Senate by Mr. Stubbs, who informed the House that the Senate had agreed to House amendments

to No. 157, Senate bill entitled an act for the relief of John H. Sears, of Mathews county.

No. 287. Senate bill entitled an act directing the secretary of the commonwealth to affix the seal of the State to certain bonds, was, on motion of Mr. FLOOD, dismissed.

No. 104. Senate bill entitled an act for the relief of D. C. Mallory, treasurer of Grayson county, was read a third time and passed—yeas 54; nays 8.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Arnold, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Carter, Coleman, Corbett, Counts, Craft, Curtis, Daingerfield, Dickey, Echols, Edmondson, Elam, A. W. Harris, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Martin, McCandlish, McNeil, Montague, A. Moore, Jr., J. E. Moore, Morton, Mustain, Parr, Pedigo, Perkins, Phillips, Pilcher, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Simpson, Spencer, Tinsley, R. H. Tyler, Waddill, Webb, Williams and Young—54.

NAYS—Messrs. Allensworth, D. W. Anderson, Graves, Johnson, Overby, Pollard, Silver and Starke—8.

No. 277. Senate bill entitled an act to incorporate the Oakwood cemetery company, in the county of Surry, was read a third time and passed.

No. 305. Senate bill entitled an act for the reimbursement of Richard E. Frayser for money expended by him in behalf of the commonwealth, was read a third time and passed—yeas 52; nays 20.

The vote required by the Constitution, was recorded as follows:

YEAS—Messrs. Speaker, W. A. Anderson, Arnold, Ash, Baldwin, Baskerville, Bristow, Goodman Brown, John A. Browne, Buford, Carter, Catlett, Corbett, Craft, Curtis, Daingerfield, Dupuy, Echols, Edmondson, Edwards, Elam, Evans, A. W. Harris, Herring, Hobson, Huffman, Jarratt, Jones, Leggett, Loving, Martin, Mayo, McCandlish, McNeil, Montague, J. E. Moore, Pedigo, Perkins, Pilcher, Riner, E. L. Roberts, J. Roberts, Simpson, Spencer, Starke, Treat, Lyon G. Tyler, Waddill, Watkins, Webb, Wilkins and Williams—52.

NAYS—Messrs. Allensworth, D. W. Anderson, Coleman, Crawford, Graves, Herbert, Hunter, Johnson, A. Moore, Jr., Wm. L. Moore, Mustain, Overby, Parr, Porter, Quesenberry, Sebrell, Terrell, Tinsley, Wright and Young—20.

House concurrent resolution, as follows:

Resolved by the House of Delegates (the Senate concurring), That a committee of three on the part of the House and two on the part of the Senate be appointed, whose duty it shall be to prepare and present to the Congress of the United States a memorial setting forth the grounds on which the United States government should assume and pay the public debt of this commonwealth. The committee shall have power to discharge the duties imposed by this resolution during the recess of the General Assembly, but shall not be entitled to extra compensation.

—Was agreed to.

Ordered, That Mr. POLLARD cary the resolution to the Senate and request their concurrence.

Senate joint resolution directing county and city treasurers not to sell lands for delinquent taxes, &c., was read a third time and agreed to.

No. 297. Senate bill entitled an act for the relief of Samuel Sweeny and Elkanah Sweeny, of Floyd county, was read a third time and passed—yeas 74.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, Arnold, Baldwin, Baskerville, Bristow, Goodman Brown, J. A. Browne, Carter, Catlett, Coleman, Corbett, Counts, Craft, Crawford, Crismond, Curtis, Dabney, Daingerfield, Dickey, Echols, Edmondson, Edwards, Evans, Ewell, Figgatt, Gordon, Graves, A. W. Harris, Herring, Hobson, Huffman, Hunter, Jarratt, Jones, Kincheloe, Leggett, Loving, Mayo, McCandlish, McClintic, McNeil, Montague, J. E. Moore, Mustain, Parr, Pedigo, Perkins, Phillips, Pilcher, Pollard, Porter, Quesenberry, Riner, Roane, E. L. Roberts, J. Roberts, Robinson, Ryan, Saunders, Scott, Sebrell, Simpson, Spencer, Starke, Terrell, Tinsley, Treat, Lyon G. Tyler, Webb, Williams, Wright and Young—74.

Joint resolution relative to defining the line separating Virginia from West Virginia, was read a third time and agreed to—yeas 64.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Allensworth, D. W Anderson, Arnold, Baldwin, Goodman Brown, John A. Browne, Catlett, Coleman, Counts, Craft, Crawford, Crismond, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edwards, Evans, Figgatt, Graves, A. W. Harris, Hay, Herbert, Huffman, Hunter, Jarratt, Jones, Johnson, Kincheloe, Loving, Martin, Magruder, McClintic, McKee, McNeil, Montague, A. Moore, Jr., J. E. Moore, Morton, Overby, Parr, Pedigo, Phillips, Pilcher, Pollard, Quesenberry, Riner, J. Roberts, Robinson, Saunders, Silver, Simpson, Spencer, Starke, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Webb, West, Wilkins, Williams and Wright—64.

No. 437. Senate bill entitled an act to relieve the sureties of A. F. Creel, was read a third time and passed—yeas 70.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Bristow, Goodman Brown, J. A. Browne, Catlett, Coleman, Counts, Curtis, Dabney, Daingerfield, Dickey, Dupuy, Echols, Edwards, Elam, Evans, Ewell, Flood, Gordon, Graves, A. W. Harris, J. S. Harris, Hay, Herring, Hobson, Huffman, Hunter, Jones, Kincheloe, Leggett, Loving, Martin, Mayo, McCandlish, McClintic, McNeil, Montague, A. Moore, Jr., J. E. Moore, Morton, Overby, Parr, Pedigo, Perkins, Phillips, Pilcher, Pollard, Porter, Quesenberry, Riner, Roane, E. L. Roberts, Robinson, Ryan, Scott, Sebrell, Simpson, Spencer, Starke, Terrell, Tinsley, Lyon G. Tyler, R. H. Tyler, Waddill, Webb, West and Wright—70.

Special order,

No. 463. House bill to provide for the assessment of taxes on persons, property and incomes, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt and to provide for the mode of applying

for licenses to transact any business of this State, and prescribing the amount to be be paid as a condition precedent to the right to transact such business, was read a third time and passed—yeas 61; nays 25.

The vote required by the Constitution was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Carter, Coleman, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Morton, Mustain, Overby, Parr, Pedigo, Pilcher, Pollard Riner, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Spencer, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, West, Wilkins, Williams, Wright and Young—61.

NAYS—Messrs. Ash, Baskerville, Goodman Brown, Corbett, Craft, Daingerfield, Elam, A. W. Harris, Herring, Jarratt, Jones, Martin, Mayo, McCandlish, McNeil, Montague, Perkins, Phillips, Quesenberry, Roane, Robinson, Scott, Tinsley, Treat and Waddill—25.

Ordered, That Mr. FIGGATT carry the bill to the Senate and request their concurrence.

No. 465. House engrossed bill to amend and re-enact sections 1, 4, 7, 9 and 16 of an act entitled an act for working the public roads of Fairfax county, approved April 28th, 1887, was read a third time and passed.

Ordered, That Mr. SIMPSON carry the bill to the Senate and request their concurrence.

No. 325. House engrossed bill to prohibit the buying, selling, delivering or receiving cotton in the seed in certain quanties on certain conditions, was read a third time and passed.

Ordered, That Mr. JONES carry the bill to the Senate and request their concurrence.

Senate joint resolution, as follows:

Resolved (the House of Delegates concurring), That the present session of the General Assembly be extended for a period not exceeding ten days from the 5th of March, 1888.

—Was rejected—yeas 56; nays 39 (not three-fifths of the members elected to the House).

The vote was recorded as follows:

YEAS—Messrs. Speaker, Allensworth, D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Buford, Carter, Catlett, Coleman, Counts, Crawford, Crismond, Curtis, Dabney, Dupuy, Echols, Edmondson, Edwards, Ewell, Figgatt, Flood, Gordon, Graves, J. S. Harris, Hay, Herbert, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, Loving, McKee, A. Moore, Jr., J. E. Moore, Mustain, Overby, Pilcher, Pollard, E. L. Roberts, J. Roberts, Ryan, Saunders, Sebrell, Silver, Simpson, Starke, Terrell, Lyon G. Tyler, R. H. Tyler, Watkins, Wilkins, Williams and Wright—56.

NAYS—Messrs. Ash, Baskerville, Bristow, Goodman Brown, John A. Browne, Corbett, Craft, Daingerfield, Dickey, Elam, Evans, A. W. Harris, Herring, Jarratt,

Jones, Martin, Magruder, Mayo, McCandlish, McClintic, McNeil, Montague, Wm. L. Moore, Parr, Pedigo, Perkins, Phillips, Porter, Quesenberry, Riner, Roane, Robinson, Scott, Spencer, Tinsley, Treat, Waddill, Webb and Young—39.

On motion of Mr. POLLARD, the chair was vacated until ten o'clock P. M.

EVENING SESSION.

The chair was resumed at 10 o'clock P. M.

The following Senate bills were read a third time and passed:

No. 484. Senate bill entitled an act to incorporate the Hebrew cemetery company of Richmond, was read a third time and passed.

No. 458. Senate bill entitled an act to amend and re-enact section 1101, chapter 46 of the Code of 1887, authorizing internal improvement companies to take wood, stone, gravel, earth or water from convenient land, was read a third time and passed.

No. 500. Senate bill entitled an act to require the board of supervisors of Sussex county to provide compensation to commissioners of revenue in said county, was read a third time and passed.

Mr. MCCANDLISH moved to reconsider the vote by which No. 500, Senate bill was passed; which motion was rejected—yeas 29; nays 29.

On motion of Mr. RYAN, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, W. A. Anderson, Baldwin, Buford, Catlett, Coleman, Crawford, Crismond, Dabney, Edmondson, Flood, Gordon, Graves, Hobson, Huffman, Hunter, Johnson, Kincheloe, Leggett, McKee, A. Moore, Jr., Pilcher, Pollard, Ryan, Saunders, Simpson, Watkins, Williams and Wright—29.

NAYS—Messrs. Speaker, Arnold, Ash, Baskerville, Goodman Brown, Corbett, Daingerfield, Echols, Elam, Evans, A. W. Harris, Hay, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, Montague, Parr, Pedigo, Perkins, Phillips, Roane, Robinson, Scott, Tinsley, Treat and Waddill—29.

No. 513. Senate bill entitled an act to incorporate the Tobacco trade of the city of Richmond.

No. 312. Senate bill entitled an act to incorporate the Big Stone Gap banking company.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had agreed to the resolution of the House in regard to memorializing Congress as to the public debt, with a substitute.

Mr. CRISMOND moved the pending question; which was not ordered—yeas 25; nays 42.

On motion of Mr. CRISMOND, the vote was recorded as follows:

YEAS—Messrs. D. W. Anderson, W. A. Anderson, Arnold, Baldwin, Catlett, Crismond, Curtis, Dupuy, Echols, Ewell, Flood, Graves, J. S. Harris, Huffman, Johnson, Kincheloe, Pilcher, Pollard, Ryan, Simpson, Terrell, Treat, Lyon G. Tyler, Wilkins and Williams—25.

NAYS—Messrs. Speaker, Ash, Baskerville, Goodman Brown, Buford, Coleman, Corbett, Crawford, Dabney, Daingerfield, Edmondson, Edwards, Elam, Evans, Figgatt, Gordon, A. W. Harris, Hay, Hobson, Jarratt, Jones, Martin, Mayo, McCandlish, McClintic, McKee, Montague, A. Moore, Jr., Morton, Parr, Pedigo, Perkins, Phillips, Roane, J. Roberts, Robinson, Saunders, Scott, Spencer, Tinsley, R. H. Tyler and Waddill—42.

The substitute of the Senate was disagreed to.

Ordered, That Mr. POLLARD inform the Senate that the House had disagreed to the substitute of the Senate.

A message was received from the Senate by Mr. Gordon, who informed the House that the Senate had receded from its substitute, and had agreed to the resolution of the House.

The SPEAKER appointed Messrs. POLLARD, MOORE of *Clarke and Warren* and MAYO the committee on the part of the House.

On motion of Mr. CRAWFORD, the committee on finance was discharged from the consideration of Senate joint resolution relative to the duties of the auditor of public accounts.

The Senate joint resolution was placed on the calendar and subsequently taken up, and, on motion of Mr. ANDERSON of *Fluvanna*, passed by.

A message was received from the Senate by Mr. Stubbs, who informed the House that the Senate had agreed to a resolution directing the governor to appoint J. D. Craig, the expert accountant in the auditor's office, to examine the accounts of the Virginia military institute; in which they respectfully request the concurrence of the House.

On motion of Mr. MCCANDLISH, the Senate joint resolution was dismissed.

Mr. TYLER of *Richmond city* offered the following resolution:

Resolved, That the clerk of the House be directed to issue his warrant on the auditor of public accounts to the assistant clerk, the committee clerks, the enrolling clerk, the sergeant-at-arms and the doorkeepers for fifty dollars each, and to the pages and janitor twenty-five dollars each, extra compensation for this session.

—Which was agreed to.

The SPEAKER appointed Messrs. CURTIS, RYAN, HAY, ECHOLS, CATLETT, BRISTOW and TREAT the committee on the part of the House under resolution in relation to the subject of obtaining revenue from oysters.

Mr. FIGGATT offerred the following resolution:

Resolved (the Senate concurring), That a committee consisting of five on the part of the House and three on the part of the Senate be appointed to wait upon the governor and inform him that the General Assembly is ready to adjourn *sine die*.

Ordered, That Mr. FIGGATT cary the resolution to the Senate and request their concurrence.

A message was received from the Senate by Mr. Rhea, who informed the House that the Senate had agreed to the resolution.

The SPEAKER appointed Messrs. FIGGATT, CRISMOND, WATKINS, MAYO and ROANE the committee on the part of the House.

Subsequently the committee, by its chairman, reported that they had waited on the governor and that he had no communication to make to the General Assembly.

Ordered, That Mr. FIGGATT inform the Senate that the House is ready on its part to adjourn *sine die*.

A message was received from the Senate by Mr. Koiner, who informed the House that the Senate is ready on its part to adjourn.

Mr. SAUNDERS offered the following resolution:

Resolved, That this House hereby tender its thanks to J. Bell Bigger, clerk of the House for the faithful, courteous and efficient discharge of the onerous duties of his office.

—Which was agreed to.

Mr. GORDON offered the following resolution:

Resolved, That the House of Delegates hereby tender its thanks to R. H. CARDWELL, SPEAKER of the House, for his impartiality and fairness in the discharge of the responsible and important duties of the office which he has so worthily filled.

—Which was agreed to.

The SPEAKER responded in appropriate terms.

The SPEAKER declared the House adjourned *sine die*.

MEMBERS OF THE HOUSE OF DELEGATES

WHO SERVED DURING THE

Session commencing December 8th, 1887, and terminating March 5th, 1888.

R. H. CARDWELL, SPEAKER, Hanover County.

NAMES.	COUNTIES.	NAMES.	COUNTIES.
Allensworth, G.	Caroline.	Daingerfield, H. W. . .	Essex.
Anderson, D. W.	Goochland.	Dickey, John M.	Grayson.
Anderson, W. A.	Rockbridge.	Dupuy, Wm. P.	Prince Edward.
Arnold, B. W.	Bedford.	Echols, Edward	Augusta.
Ash, W. H.	Nottoway.	Edmondson, S. P. . . .	Washington.
Baldwin, Jno. C.	Halifax.	Edwards, Walter A. . .	Norfolk city.
Barbour, James.	Culpeper.	Elam, W. C.	Louisa.
Baskerville. B., Jr. . . .	Mecklenburg.	Evans, W. W.	Petersburg city.
Bristow, L. C.	Middlesex.	Ewell, A. D. F., Dr. . .	Accomac.
Brown, Goodman	Surry.	Figgatt, J. H. H. . . .	Botetourt.
Browne, John A.	Nansemond.	Flood, H. D.	Appomattox.
Buford, A. S.	Richmond city.	Gordon, Basil B.	Rappahannock.
Cardwell, R. H.	Hanover.	Graves, Thomas J. . .	Page.
Carter, Henry L.	Richmond city.	Harris, A. W.	Dinwiddie.
Catlett, Robert	Charlotte.	Harris, J. S.	Albemarle.
Coleman, Daniel	Pittsylvania.	Hay, James	Madison.
Corbett, Lawrence W. .	Alexandria.	Herbert, R. L.	Norfolk.
Counts, R. L.	Dickenson.	Herring, J. V.	Chesterfield.
Craft, James B.	Scott.	Hobson, Joseph . . .	Powhatan.
Crawford, J. H.	Augusta.	Huffman, Giles C. . . .	Craig.
Crismond, H. F.	Spotsylvania.	Hunter, R. Palmer. . .	Campbell.
Curtis, John A.	Richmond city.	Jarratt, B. F.	Sussex.
Dabney, W. D.	Albemarle.	Jones, W. F.	Brunswick.

LIST OF MEMBERS—CONTINUED.

NAMES.	COUNTIES.	NAMES.	COUNTIES.
Johnson, J. A.	Isle of Wight.	Roane, W. P.	Gloucester.
Kincheloe, Jno. W. . .	Fauquier.	Roberts, E. L.	Smyth.
Leggett, Geo. W.	Princess Anne.	Roberts, John	Washington.
Loving, W. G.	Amherst.	Robinson, J. H.	Elizabeth City.
Martin, G. A.	Norfolk.	Ryan, J. F.	Loudoun.
Magruder, P. W.	Shenandoah.	Sanger, J. E.	Rockingham.
Mayo, R. M.	Westmoreland.	Saunders, E. W. . . .	Franklin.
McCandlish, Ro., Jr. . .	Petersburg city.	Scott, P. W.	Goochland.
McClintic, A. M.	Bath.	Sebrell, J. E.	Southampton.
McKee, John T.	Rockbridge.	Silver, John M.	Frederick.
McNeil, S. H.	Floyd.	Simpson, Ro. I.	Fairfax.
Montague, T. C.	Stafford.	Smith, R. L.	Russell.
Moore, A., Jr.	Clarke.	Spencer, R. H.	Buckingham.
Moore, J. E.	Pulaski.	Starke, L. D.	Norfolk city.
Moore, Wm. L.	Tazewell.	Terrell, J J., Dr. . . .	Campbell.
Morton, James W. . . .	Orange.	Tinsley, Wm. N.	New Kent.
Mustain, S. T.	Pittsylvania.	Treat, Morgan	King William.
Overby, J. W.	Lunenburg.	Tyler, Lyon G.	Richmond city.
Parr, E.	Patrick.	Tyler, R. H.	Prince William.
Pedigo, A. L.	Henry.	Waddill, E., Jr.	Henrico.
Perkins, Cæsar	Buckingham.	Watkins, L. C.	Halifax.
Phillips, E. S.	Richmond.	Webb, J. B.	Rockingham.
Pilcher, J. A.	Fauquier.	West, Thomas S. . . .	Bedford.
Pollard, Henry R. . . .	King and Queen.	Wilkins, S. S.	Northampton.
Porter, D. H.	Wythe.	Williams, Wm. L. . . .	Nelson.
Quesenberry, Peter . . .	Carroll.	Wright, Dryden	Pittsylvania.
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Bill for the relief of, presented and referred, 412

H. B. 384. To repeal an act approved on the 21st day of May, 1887, reported and read first time, 329

HOUSE DOCUMENTS.

ABSTRACT

OF THE

RETURNS OF CLERKS OF COURTS

TO THE

CLERK OF THE HOUSE OF DELEGATES.

OFFICE OF CLERK OF HOUSE OF DELEGATES,
RICHMOND, VA., *December* 7, 1887.

To the General Assembly:

In accordance with a requirement of section 13, chapter 14, Code of 1873, I herewith submit a condensed abstract from the reports made to me by the clerks of courts for the year ending August 31st, 1887.

Very respectfully, &c.,

J. BELL BIGGER,
Clerk of House of Delegates.

ABSTRACT

From the Reports of Clerks of the Supreme Courts of Appeals and Circuit Courts for the year ending 31st August, 1887, exhibiting the state of Suits in their respective Courts.

SUPREME COURT OF APPEALS.

JUDGES.	CLERKS.	LOCATION OF COURTS.	APPEALS, WRITS OF ERROR AND SUPERSEDEAS.							NOTES.
			No. commenced.	No. Pending.	No. interlocutory decrees and orders.	No. final decrees and judgements.	No. removed from other courts.	No. removed to other courts.	Days in session.	
L. L. Lewis	George K. Taylor	Richmond	79	132	.....	204	3	1	168	Note No. 1.
B. W. Lacy	J. B. Dorman	Staunton	22	55	.....	33	1	1	29	
D. A. Hinton	W. C. Pendleton	Wytheville	31	13	.....	17	....	1	22	
T. T. Fauntleroy.										
R. A. Richardson.										

NOTE No. 1.—Of the number of cases commenced, nineteen were Commonwealth cases; of the number pending, the cases in office docket are included as well as cases in court docket.

CIRCUIT COURTS.

CIRCUITS.	JUDGES.	CLERKS.	COUNTIES AND CITIES.	ACTIONS AT LAW.					SUITS IN EQUITY.						PROSECUTIONS.						DAYS OF SESSION.				NOTES.
				No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. removed to other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. removed from other courts.	No. removed to other courts.	No. commenced.	No. pending.	No. decided.	No. nolle prosequis.	Changes of venue from the court.	Changes of venue to the court.	Fall term.	Spring term.	Intermediate or special terms.	Total.	
1	C. W. Hill	J. E. Strawhand	Princess Anne	8	6	18	.	.	14	69	31	33	.	1	.	.	.	.	.	.	2	4	.	6	
		L. M. Silvester	Norfolk county	84	55	30	.	.	38	147	72	24	2	.	.	.	.	.	.	.	9	14	1	24	
		Peter B. Prentis	Nansemond	54	85	60	.	.	15	103	40	15	.	.	.	.	.	.	.	.	6	7	14	27	
		B. F. McLemore	Southampton	45	10	44	.	.	22	125	67	23	.	.	.	.	.	.	.	.	2	3	.	5	
		N. P. Young	Isle of Wight	24	78	39	.	.	22	111	46	26	.	1	.	1	.	1	.	.	2	3	.	5	
		A. S. Edwards	Surry	35	4	42	.	.	20	84	45	42	.	2	.	.	.	.	.	.	4	2	.	6	
		Samuel Kimberly	City of Norfolk	13	33	24	1	.	6	47	25	2	1	1	.	.	.	.	.	.	9	17	18	44	
		C. T. Phillips	City of Portsmouth	6	6	2	.	.	1	6	2	2	.	.	.	.	.	.	.	.	2	4	.	6	
			Total in circuit	269	277	259	1	.	138	692	328	167	3	5	1	.	1	.	.	.	36	54	33	123	
2	B. A. Hancock	John D. Owen	Sussex	22	5	27	.	.	20	115	65	21	1	.	.	.	.	.	.	.	5	2	.	7	
		E. L. Turner	Greensville	34	22	47	.	.	38	177	93	22	.	2	1	2	.	.	.	.	4	4	.	8	Note No. 2.
		Chas. E. May	Brunswick	65	18	64	.	.	44	252	135	33	.	.	.	.	.	.	.	.	5	4	.	9	
		Chas. L. Ruffin, D.C.	Prince George	3	1	5	1	.	7	50	.	3	.	1	.	.	.	.	.	.	5	2	.	7	Note No. 3.
		J. B. Spain	Dinwiddie	6	1	7	.	.	12	116	53	11	.	5	.	.	.	.	.	.	3	3	.	6	
		Herman Jackson	Nottoway	63	17	53	.	.	23	120	25	46	6	3	.	.	.	.	.	.	8	9	.	17	
		E. H. Flournoy	Chesterfield	41	15	43	.	10	31	331	203	126	1	18	.	.	.	.	.	.	9	5	16	30	
		John C. Armistead	City of Petersburg	9	2	10	.	.	.	56	25	1	6	.	.	.	.	.	.	.	4	5	3	12	
			Total in circuit	243	81	256	1	10	175	1217	599	263	14	29	1	2	.	.	.	.	43	34	19	96	

3	F. D. Irving	W. C. Curtis	Mecklenburg	78	7	78			41	191	167	39			1	1					1			10	9	4	23
		John L. Yates	Lunenburg	39	11	27			31	159	118	14												6	7		13
		Wm. Smith	Charlotte	44	57	34			25	229	85	21		8										6	6		12
		E. H. Coleman	Amelia	70	26	60	2		15	169	87	14												6	6		12
		P. P. Dabney, D. C.	Powhatan	27	14	43			21	54	50	11	1	1										3	5		8
		H. R. Hooper	Prince Edward	77	21	72			23	196	94	11	1	5										8	7	15	30
		W. J. Hubard	Buckingham	70	40	77			29	409	73	34		1										7	4		11
		J. B. Flippen	Cumberland	59	44	58			13	191	49	7	1	5	3		3				1			6	6		12
			Total in circuit	464	220	419	2		198	1598	723	151	3	20	4	1	3				1			52	50	19	121
4	S. G. Whittle	T. R. Jordan	Halifax	236	48	188			67	346	228	41	5	1										10	10		20
		S. S. Hurt	Pittsylvania	498	212	524	1	2	130	340	189	100	3	5			5							10	12		22
			Henry.																											
		L. G. Rucker	Patrick	41	16	31			47	167	104	24						1						4	5	7	16
		G. H. T. Greer	Franklin	133	71	119		1	159	452	244	89					1							5	7		12
		Wm. Rison	City of Danville	10	17	16	1	1	8	45	41	5	2	2										12	7		19
			Total in circuit																											
5	J. D. Horsley	John M. Speece	Bedford	92	58	110		2	90	563	289	90		1										6	22		28
		R. E. Reid	Campbell	3	18	48			29	180	81	9												2	3		5
		Geo. W. Abbitt	Appomattox	20	24	22			22	86	65	23												3	4		7
		Ro. A. Pendleton	Amherst	53	26	73			44	386	116	13		3										2	11	8	21
		Geo. S. Stevens	Nelson	87	43	81			39	353	255	39		2										8	11	6	25
		Sam'l D. Preston	City of Lynchburg	22	18	15		1		96	43	5	2											2	10	1	13
			Total in circuit	312	187	349		3	224	1664	849	179	2	6										23	61	15	99
6	Dan'l A. Grimsley	R. W. Duke	Albemarle	107	88	80			46	475	355	123	1											14	12	13	39
		Wm. Sclater	Fluvanna	36	26	45			13	243	81	7	3		1		1							4	3		7
		C. B. Payne	Culpeper	89	45	44			13	325	148	10												6	6	13	25
		Wm. Miller	Goochland	36	35	29			13	262	58	4												3	6		9
		N. W. Crisler	Madison	43	34	29			18	289	103	11												3	2		5
		Z. R. Page	Greene	9	21	19			11	131	92	12			1	1	1	1						2	2		4
		P. H. Fry	Orange	49	21	64			12	202	62	17		1										6	4		10
			Total in circuit	369	270	310			126	1927	899	184	4	1	2	1	2	1						38	35	26	99
7	B. R. Wellford, Jr.	S. P Waddill, D. C.	Henrico	21	16	12		4	63	450	264	30	11	1			1							55	47	66	168
		Alfred Shield	City of Richmond	359	214	310	4	1	1	55	37	1			32		32	2						56	49	64	169
			Total in circuit	380	230	322	4	5	64	505	301	31	11	1	32		33	2						111	96	110	337
8	B. T. Gunter	John D. Grant	Accomac	85	15	54			39	132	93	21	2	2										12	9		21
		Gilmer S. Kendall	Northampton	37	15	41			7	79	45	5		1										3	7	5	15
			Elizabeth City.																											
		C. Wade	York	4	8	7			6	87	19	7		7										3	1		4
		H. DeB. Clay	Warwick	22	8	14			12	40	35	10			1	1								4	2	1	7
		Rich'd A. Wise	James City & city of Williamsburg.	7	8	5			2	127	49		1	1											6	6	12
			New Kent	13	16	8		1	6	119	51	15		1										5	6	1	12

CIRCUIT COURTS—CONTINUED.

CIRCUITS.	JUDGES.	CLERKS.	COUNTIES AND CITIES.	ACTIONS AT LAW.					SUITS IN EQUITY.						PROSECUTIONS.						DAYS OF SESSION.				NOTES.
				No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. removed to other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. removed from other courts.	No. removed to other courts.	No. commenced.	No. pending.	No. decided.	No. nolle prosequis.	Changes of venue from the court.	Changes of venue to the court.	Fall term.	Spring term.	Intermediate or special terms.	Total.	
		Edmund Waddill .	Charles City	15	4	13	. .	. .	7	79	15	8	. .	. .	. .	. .	. .	. .	. .	. .	3	2	1	6	
			Total in circuit .																						
9	James M. Jeffries .	Sam'l P. Gresham .	Lancaster	1	7	6	. .	. .	4	87	21	7	. .	. .	1	1	1	. .	. .	. .	1	2	.	3	Note No. 4.
		Wm. S. Cralle . . .	Northumberland .	24	3	21	. .	1	12	196	47	3	. .	1	. .	. .	. .	. .	. .	. .	3	2	.	5	
		Sam'l B. Chapman .	Gloucester	7	13	7	. .	. .	37	244	125	19	. .	. .	1	. .	1	. .	. .	. .	.	5	8	13	
		J. C. Johnson . . .	King William . . .	30	4	26	. .	. .	10	55	54	32	. .	. .	. .	. .	. .	. .	. .	. .	6	4	.	10	
		Harris'n Southworth	Essex	16	3	25	. .	. .	20	147	42	10	. .	. .	. .	. .	. .	. .	. .	. .	4	2	1	7	
		B. T. Taylor	King & Queen . . .	12	4	27	. .	. .	17	82	64	21	. .	. .	. .	. .	. .	. .	. .	. .	3	3	9	15	
		Sands Smith	Mathews	17	5	12	. .	. .	14	291	. .	2	. .	. .	. .	. .	. .	. .	. .	. .	7	4	3	14	
		P. T. Woodward .	Middlesex	7	4	3	. .	. .	13	119	47	5	. .	. .	. .	. .	. .	. .	. .	. .	4	2	.	6	
			Total in circuit .	114	43	127	. .	1	127	1221	400	99	. .	1	2	1	2	. .	. .	. .	28	24	21	73	
10	William S. Barton	J. Warren Hutt . .	Westmoreland . . .	17	19	11	. .	. .	15	135	31	44	. .	. .	. .	. .	. .	. .	. .	. .	2	2	.	4	
		J. P. H. Crismond .	Spotsylvania . . .	6	17	7	. .	1	3	39	3	2	. .	7	2	1	2	. .	. .	. .	1	1	.	2	
		T. W. Valentine . .	Caroline	36	2	21	. .	. .	15	234	52	11	. .	1	. .	. .	. .	. .	. .	. .	2	3	.	5	
		J. A. Brown	Hanover	61	48	51	. .	1	37	315	138	31	. .	. .	1	1	. .	. .	. .	. .	3	2	1	6	
		C. A. Bryan	Stafford	6	2	4	. .	. .	12	50	6	5	. .	1	. .	. .	. .	. .	. .	. .	1	1	.	2	
		F. W. Payne	King George	15	9	12	. .	. .	21	80	24	6	. .	1	. .	. .	. .	. .	. .	. .	1	1	.	2	
		L. D. Warner . . .	Richmond	11	7	9	1	. .	4	112	10	4	. .	1	. .	. .	. .	. .	. .	. .	2	2	.	4	
		Ro. B. Berry	City of Fred'ksburg	6	12	. .	. .	. .	7	146	80	2	13	. .	. .	. .	. .	. .	. .	. .	35	7	33	75	
		Sam'l H. Parsons .	Louisa	13	17	41	. .	2	22	438	212	25	. .	. .	. .	. .	. .	. .	. .	. .	4	3	1	8	
			Total in circuit .	171	133	156	1	4	136	1549	556	130	13	11	3	2	2	. .	. .	. .	51	22	35	108	

11	James Keith	E. L. Bennett	Loudoun	134	61	187	1	.	73	273	243	83	.	.	.	.	1	2	.	.	.	2	9	10	6	25
		Jno. R. Turner	Fauquier	259	115	279	.	.	50	558	256	56	.	1	.	.	.	.	.	.	.	.	12	11	19	42
		W. Graham	Fairfax	64	23	76	1	3	38	230	157	29	.	1	.	.	.	1	.	.	.	.	3	.	3	6
		E. Nelson	Prince William	100	39	25	.	.	24	90	75	39	.	.	.	.	.	.	.	.	.	.	3	3	.	6
			Rappahannock																							
		H. H. Young	Alexandria county	3	12	15	2	2	15	25	.	.	3	1	.	.	.	.	.	.	.	.	2	2	2	6
		Jno. S. Beach	City of Alexandria	13	25	50	.	.	13	68	39	12	.	.	.	.	.	.	.	.	.	.	8	4	2	14
			Total in circuit																							
12	Robert H. Turner	Jos. A. Nulton	Frederick	158	84	74	.	.	58	378	322	56	.	.	.	.	.	.	.	.	.	.	12	12	16	40
		Jno. M. Gibson	Clarke	123	30	129	.	.	25	248	90	32	.	.	.	.	.	.	.	.	.	.	8	2	8	18
		C. A. Macater	Warren	40	13	39	.	.	20	156	53	50	.	.	.	.	.	.	.	.	.	.	3	2	3	8
		Geo. W. Miley	Shenandoah	228	156	212	.	.	71	1006	301	69	.	1	.	.	.	.	.	.	.	.	8	9	9	26
		A. Broaddus	Page	101	51	112	.	.	52	328	177	65	.	1	.	.	.	.	.	.	.	.	6	4	.	10
			Total in circuit	650	334	566	.	.	226	2116	943	272	.	2	.	.	.	.	.	.	.	.	37	29	36	102
13	Wm. McLaughlin	J. N. Ryan	Augusta	260	54	254	4	1	135	682	493	166	.	.	.	.	.	.	.	.	.	.	31	28	.	59
		Jno. C. Boude	Rockbridge	106	37	141	1	.	41	405	394	46	3	1	.	.	.	1	.	.	.	.	18	20	5	43
		D. H. Lee Martz	Rockingham	187	75	181	.	.	148	684	651	137	.	.	.	.	.	.	.	.	.	.	15	18	11	44
		A. G. Cleek	Bath	32	9	29	.	.	7	118	46	7	.	.	.	.	.	.	.	.	.	.	2	3	.	5
		J. C. Matheny	Highland	20	2	24	.	.	19	61	59	24	.	.	.	.	.	.	.	.	.	.	4	3	.	7
		J. J. Hobbs	Alleghany	20	4	20	.	1	12	96	45	23	.	.	.	.	.	.	.	.	.	.	5	5	.	10
			Total in circuit	625	181	649	5	2	362	2046	1688	403	3	1	.	.	1	.	.	.	.	.	75	77	16	168
14	Henry E. Blair	J. W. Matheny	Botetourt	188	54	126	.	1	56	313	295	59	.	.	.	.	.	.	.	.	.	.	8	10	.	18
		P. H. McCaull	Roanoke	79	16	89	.	.	45	195	81	86	.	.	.	.	.	.	.	.	.	.	6	8	.	14
		B. W. Hines	Montgomery	71	31	40	.	.	30	309	274	39	.	.	.	.	.	.	.	.	.	.	13	10	.	23
		B. P. Elliott	Floyd	34	30	42	.	.	70	222	190	28	.	.	.	.	.	.	.	.	.	.	4	5	.	9
		S. S. Brooke	City of Roanoke	6	13	7	.	.	1	7	54	1	1	.	.	.	.	.	.	.	.	.	5	5	1	11
		A. W. Webb, D. C	Craig	27	20	30	.	.	16	100	50	18	.	.	30	13	28	6	.	.	.	.	5	4	.	9
			Total in circuit	405	164	334	.	1	218	1146	944	231	1	.	30	13	28	6	.	.	.	.	41	42	1	84
15	John H. Fulton	E. G. Sutherland, D.C	Carroll	13	10	20	.	.	43	97	55	50	.	2	.	.	1	.	.	.	.	1	5	6	.	11
		Wm. B. Foster	Wythe	112	74	130	2	.	134	350	181	69	.	1	.	.	.	.	.	.	.	.	18	12	.	30
		R. D. Gardner	Pulaski	32	19	47	.	.	32	94	65	36	.	1	.	.	.	.	.	.	.	.	6	4	.	10
		B. P. Watts	Giles	83	35	48	.	.	29	221	76	25	1	1	.	.	.	.	.	.	.	.	6	7	.	13
			Bland																							
		T. E. George	Tazewell	112	25	.	2	.	110	212	110	64	.	.	.	.	.	.	.	.	.	.	9	9	.	18
			Total in circuit																							
16	John A. Kelly	Jno. R. Sexton, D.C.	Smyth	100	83	117	.	.	61	270	102	35	.	1	.	.	.	.	.	.	.	.	12	12	.	24
		Jno. G. Kreger	Washington	159	192	178	.	.	116	713	.	110	.	.	.	.	.	.	.	.	.	.	17	2	19	38
		F. J. Lundy	Grayson	49	40	51	.	.	59	168	103	30	.	.	.	.	2	.	.	.	.	.	5	6	.	11
		H. H. Dickenson	Russell	58	19	56	.	.	70	169	129	67	1	1	.	.	.	.	.	.	.	.	6	8	7	21
			Total in circuit	366	334	402	.	.	306	1320	334	242	1	2	.	.	2	.	.	.	.	.	40	28	26	94

CIRCUIT COURTS—CONTINUED.

CIRCUITS.	JUDGES.	CLERKS.	COUNTIES AND CITIES.	ACTIONS AT LAW.					SUITS IN EQUITY.						PROSECUTIONS.						DAYS OF SESSION.				NOTES.
				No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. removed to other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. removed from other courts.	No. removed to other courts	No. commenced.	No. pending.	No. decided.	No. nolle prosequis.	Changes of venue from the court.	Changes of venue to the court.	Fall term.	Spring term.	Intermediate or special terms.	Total.	
17	H. S. K. Morrison	J. H. Taylor	Scott	50	39	60	.	2	72	226	146	53	2	6	1	.	.	1	.	.	6	6	12	24	
		J. A. G. Hyatt	Lee	31	11	46	1	.	63	174	91	83	.	.	.	.	.	.	.	.	5	4	6	15	
		J. E. Lipps	Wise	18	26	11	.	.	28	175	98	25	.	.	.	.	.	.	.	.	5	4	.	9	
		Columbus Phipps	Dickenson	6	10	3	.	.	15	64	.	9	.	.	.	.	.	.	.	.	3	2	.	5	
		Jos. Hibbitts	Buchanan	18	8	10	.	.	42	70	42	14	.	.	.	.	.	.	.	.	3	4	.	7	
			Total in circuit	123	94	130	1	2	220	709	377	184	2	6	1	.	.	1	.	.	22	20	18	60	

NOTE No. 2.—One of the criminal cases has been on the docket for a number of years; the party is a fugitive from justice, and has been since 1871. The other case—the party, under the statute, demanded to be tried in this court; the case will be disposed of at the October term, 1887.

NOTE No. 3.—Actions at law dismissed at Rules 1. Suits in equity dismissed at Rules 2.

NOTE No. 4.—In number twenty-four commenced is included one case pending on September 1, 1886, and twenty-three cases brought since September 1, 1886. In twenty-one cases decided, is one case pending at last report and twenty of the cases commenced since September 1, 1886; and there is also included in number twenty-one decided, all confession of judgments. The case reported as removed to other courts, is a case which was taken up to the Court of Appeals from the circuit court upon a writ of error—equity. In interlocutory decrees are included all orders. There were two cases dismissed at rules of the number commenced, but they are not included in the number three of final decrees. The one case removed to other courts is a chancery case taken from the court below to the Supreme Court of Appeals.

COUNTIES AND CITIES

FROM WHICH

NO REPORTS RECEIVED.

Henry county.
Elizabeth City county.
Rappahannock county.
Bland county.

J. BELL BIGGER,
Clerk of House of Delegates.

COMMUNICATION

FROM THE

AUDITOR OF PUBLIC ACCOUNTS

IN RELATION TO

AID FOR DISABLED SOLDIERS OR MARINES.

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
RICHMOND, December 8th, 1887.

HON. R. H. CARDWELL,
Speaker of the House of Delegates:

Sir,—I am required by the act of May 23d, 1887, entitled "an act to require proof of disability in order to obtain aid as a disabled soldier or marine," to report to the General Assembly, at the next general session after their applications are filed, a list of those whose claims for aid under that act have been approved. In obedience to this requirement I have the honor to hand you herewith a list of such claimants, who number one hundred and eighteen. In addition to these there remain unpaid fifty-one claimants who filed applications under act of February 25th, 1884, before July 1st, 1887, the date on which the act of May 23d, 1887, went into effect.

Very respectfully,

MORTON MARYE,
Auditor of Public Accounts.

LIST OF NAMES.

Allen, Wm. . . . . Carroll county.
2 Ashwell, Wm. A . . . . . Bedford county.

Brewer, James B . . . . . Bedford county.
Burford, Dan'l F. M . . . . . Amherst county.
Boon, W. D. L . . . . . Franklin county.
Beckner, W. H . . . . . Franklin county.
Beasly, R. R . . . . . Carroll county.
Breeding, Jno. W . . . . . Greene county.
Beamer, H. H . . . . . Carroll county.
Baker, W. A. M . . . . . Lee county.
11 Buchanan, Jno. W . . . . . Nelson county.

Coleman, Benj. Franklin . . . . . Prince Edward county.
Carter, James T . . . . . Carroll county.
Claiborne, Wm. P . . . . . Franklin county.
Chappell, J. T . . . . . Carroll county.
Candle, A. J . . . . . Carroll county.
Coleman, Buford C . . . . . Carroll county.
Combs, Reuben . . . . . Carroll county.
Chappell, James . . . . . Carroll county.
Cassell, David . . . . . Carroll county.
21 Cheatham, Jno. D . . . . . Henry county.

Dawson, A. J . . . . . Albemarle county.
Doggett, D. S . . . . . Richmond city.
Deon, C. W . . . . . Carroll county.
Dowell, Joseph . . . . . Greene county.
Davis, David . . . . . Carroll county.
Dowell, John . . . . . Carroll county.
Davidson, James . . . . . Carroll county.
29 Divers, P. D . . . . . Franklin county.

Emberson, A. W . . . . . Franklin county.
Eanes, Benj. H . . . . . Henry county.
32 Elmore, Benj. T . . . . . Craig county.

Fitz, J. W . . . . . Albemarle county.
Farmer, M. W . . . . . Carroll county.
35 Frazier, T. J . . . . . Amherst county.

Greer, G. H. T . . . . . Franklin county.
Griggs, Wm. J . . . . . Henry county.
Griffin, V. R . . . . . Henry county.
Gwynn, Aaron . . . . . Carroll county.
Gwynn, James . . . . . Carroll county.
Gallemore, Stanley . . . . . Carroll county.
42 Grant, R. N . . . . . .

Hicks, Wm. R . . . . . Carroll county.
Haynes, W. H . . . . . Carroll county.
Hill, Isacc . . . . . Carroll county.
Horton, Henry . . . . . Carroll county.
Howlett, D. C . . . . . Carroll counry.
Holladay, W. L . . . . . Culpeper county.
Holloway, Jesse Peyton . . . . . Sussex county.
Hodges, Andrew J . . . . . Franklin county.
51 Holt, T. J . . . . . Norfolk city.

Jeter, J. J. E . . . . . Lunenburg county.
Johnson, W. T . . . . . Prince Edward county.
Jennings, John . . . . . Carroll county.
55 Jones, Stephen . . . . . Franklin county.

Kane, Eli . . . . . Carroll county.
57 Kitchen, A. S . . . . . Sussex county.

Leftwich, James P . . . . . Bedford county.
Lawhorne, Wm . . . . . Amherst county.
Lawson, John . . . . . Carroll county.
61 Lupton, Jacob C . . . . . Albemarle county.

Moseley, Sam'l P . . . . . Buckingham county.
Munsey, Alex. B . . . . . Lee county.
Martin, John G . . . . . Albemarle county.
Morris, James . . . . . Norfolk city.
Mayhew, James T . . . . . Bedford county.
Mesmer, Jno. Redmon . . . . . Winchester city.
Meade, H. W . . . . . Franklin county.
Mattox, E. D . . . . . Franklin county.
Marshall, Robert . . . . . Carroll county.
Montgomery, J. G . . . . . Carroll county.
72 McGee, Madison . . . . . Carroll county.

Nester, James, Jr . . . . . Carroll county.
74 Nester, John . . . . . Carroll county.

Overton, R. J . . . . . Lunenburg county.
76 Oliver, Benj. F . . . . . Greene county.

Powell, John T . . . . . Nelson county.
78 Preston, W. C . . . . . Culpeper county.

Radford, Robt. P . . . . . Carroll county.
Rickman, Horation . . . . . Carroll county.
81 Rittenhouse, H. J . . . . . Nelson county.

Spencer, Robt. P . . . . . Nelson county.
Starkey, Edward . . . . . Franklin county.
Snow, James B . . . . . Greene county.
Sutphin, Bluford . . . . . Carroll county.
Snow, Preston H . . . . . Carroll county.
Sweeny, J. N . . . . . Carroll county.
Shilling, J. J . . . . . Franklin county.
Simpson, Wm. D . . . . . Nelson county.
90 Saunders, Sam'l H . . . . . Franklin county.

Tate, Levi . . . . . Carroll county.
Thompson, C. T . . . . . Nelson county.
Thomas L. D . . . . . Carroll county.
Turner, Alex . . . . . Carroll county.
Turner, Edward P . . . . . Greenesville county.
Taliaferro, John H . . . . . Franklin county.
Trail, Wm. V . . . . . Franklin county.
Teel, Martin M . . . . . Franklin county.
Triplett, H. F . . . . . Prince William county.
Thomasson, Stephen G . . . . . Henry county.
101 Tyree, John H . . . . . Nelson county.

102 Vaughan, Wm. K . . . . . Carroll county.

White, Ira . . . . . Carroll county.
Worrell, C. C . . . . . Carroll county.
Webb, Andrew . . . . . Carroll county.
Woods, C. C . . . . . Nelson county.
Weddle, Robt. H. . . . . Carroll county.
Wall, Wm. A . . . . . Carroll county.
Whitlow, James H . . . . . Franklin county.
Webb, John F . . . . . Franklin county.
Willis, Stephen B . . . . . Franklin county.
Wray, John . . . . . Franklin county.
Willis, Willis C. . . . . Nelson county.
Wade, Henry C . . . . . Henry county.
Walkup, S. H . . . . . Amherst county.
Warren, J. E . . . . . Norfolk city.
Williams, Canada . . . . . Carroll county.
118 Welton, Geo. W . . . . . Greenesville county.

REPORT OF JOHN A. PARKER,

AGENT FOR THE

STATE OF VIRGINIA,

FOR THE COLLECTION OF THE

CLAIM OF VIRGIVIA vs. THE UNITED STATES, FOR ADVANCEMENTS MADE FOR THE WAR 1812.

To the Honorable Senate and House of Delegates of the State of Virginia:

The undersigned asks leave to report that his previous reports, giving a history of the case, and his connection with it, may be found in "House and Senate Reports," and especially in "Doc. 77 of the Senate in 1860," to all of which he asks leave to refer. The last paper, and the *only* one which can be found, is filed in the office of the auditor of Virginia. Suffice it to say, that he *first* discovered that this large, just and sacred debt, due to Virginia, and reported the same to Governor Wise, and subsequently to the Legislature, all which appears in said Doc. No. 77, session of 1859–60; that from that time to the present, now 28 years, he has devoted his time, and expended at least $8,000 of his own private means, to the prosecution of said claim; that the State has never expended one dollar.

THE LATE CONGRESS.

Early in December, 1885, the bill for a settlement was presented to the House of Representatives by the Hon. J. R. Tucker, and referred to the "committee on claims." On said committee was soon after placed the Hon. C. Trigg, of Virginia, and he was made a sub-committee to examine into and report the same to a full committee. Mr. Trigg, with great energy and industry, made himself fully acquainted with the whole subject and its merits, and promptly reported to the full committee, which *uanimously* directed him to report the bill to the House, and this was done, and it was placed on the calendar *in March, 1886.* It not having been called up, from March, 1886, to 27th January, 1887, it then came up, and only some fifteen members of the House inuicated any opposition to its passage, and these not on its merits. Only five minutes' time were required to pass it. But unfortunately the *time* of the committee was exhausted, and it went "over" as unfinished business until the 31st January, when it again came up, and just at the moment it was about to pass, the question or point was made that there was "no quorum," which proved to be the fact, and again it went over.

THE SENATE.

In January Gen. Mahone was placed in charge of the bill, and on the 6th he promptly introduced it and had it referred to the committee of the Senate, and frequently in person went before said committee for the purpose of explanation, and obviating any and all objections, if any, and in February was so fortunate as to get a *unanimous* report in its favor; but, not only this, a "caucus" was held, and for the purpose of deciding what bills *should pass*, it was determined that *our bill should be one*. This is the first and only instance known to me of such action having taken place on a private bill, and indicates the interest felt in its passage

On the night of the 2nd March the Senate met *for the* purpose of carrying out the action of the "caucus," and would unquestionably have done so but for the want of time. In the meantime Mr. Carlisle, the Speaker, had positively promised, as soon as the bill passed the Senate (as everyone confidently expected it would do), to give the floor to Mr. Trigg, to call it up and pass it. That the passage was not even one of doubt, will be seen, first, by an extract from a letter of the Hon. J. Goode, dated,

"WASHINGTON, 22 Feb'y, 1887.

My Dear Sir,—If we can get a vote I am confident of a favorable result in both houses. Day before yesterday I saw the Speaker, and explained to him the situation. He promised positively to recognize Mr. Trigg, for the purpose of calling up and passing the bill as soon as it passes the Senate.

Yours, very truly,

[Signed.] JOHN GOODE."

On 21st February, Gen. Mahone, in reply to a letter from me "asking his candid opinion," replied:

"I have just time to say it will pass."

MAHONE."

Although for the present the bill has to "lay over" until the next session, I am confident it can and will be passed, if I can give it that personal attention which is indispensable. But already about $1,500,000 has been saved to the State; both committees have fully recognized the claim as a debt due from the United States to the State; *and to that amount Virginia has an offset against the bonds and interest held by the United States*, and after *such offset a large amount will still be due to Virginia.*

I respectfully ask that papers marked "A," "B," "C" and "D," may be printed with this report, and made a part of it.

They will show:

1st. That I faithfully discharged the duties assigned me.

2d. That I have not had the least aid for years *before* the death of Mr. Thomas Green, and up to the present time, from any person except those employed by me; that all responsibility and *all* expenses have rested on me.

3d. That in view of the fact that I have devoted twenty-nine years of my time, and not less than $8,000 of money, I respectfully, but most earnestly ask that the small sum of only two hundred and fifty dollars may be advanced me, to enable me further to prosecute said claim, to be deducted from my commission on final settlement. This to me is of vital importance, as I have exhausted my private resources, and have been compelled to borrow money for my expenses.

I cannot think the Legislature will, under the circumstances, and looking to the future, deny to me this just and reasonable request.

Respectfully submitted,

JOHN A. PARKER.

Tappahannock, Essex County, 23d March, 1887.

"A."

WASHINGTON, D. C., March 7, '83.

COL. JOHN A. PARKER,

My Dear Sir,—When I came to Congress in 1871, I found you the active, pressing and intelligent agent of the State of Virginia, on account war 1812. You so continued to my personal knowledge until two years ago, when I retired from Congress.

In all my public experience I never knew one who was more faithful to a trust than you in this case. That we did not succeed surely was no fault of yours. Many other claims, equally as just, have been neglected by Congress for a greater number of years than you had charge of this bill, notably the "French spoliation bill." By your active aid we had the House so organized and instructed that it certainly would have passed the House in the thirty-sixth Congress if it could have beed reached on the calendar. No man could have done more, for none stood higher intellectually and socially than yourself, and none could have commanded more sympathy and respect than yourself. It was *fate*, not fault, that failed you.

Truly yours,

[Signed,] JOHN T. HARRIS.

"C."

WASHINGTON, D. C., March 3d, 1887.

Col. J. A. Parker, Essex County, Va.:

My Dear Sir,—In reply to your letter, received an hour or so ago, I have to say, that I am perfectly familiar with every movement you have made to pass the Virginia claims, for the last ten or twelve years, and I know that at no time have you had the least assistance from Mr. B. P. Green, the nominal agent of Virginia. I know that you have repeatedly invited him to attend the conferences called by you. I have personally attended all such conferences, and I know Mr. Green has never attended on any occasion, or sent any excuse for not doing so.

It is said Mr. Green holds an office under the United States; if so, he incurs a penalty for acting as agent for any claims against the United States.

Very hastily and truly,

[Signed,] P. PENDLETON.

"D."

HOUSE OF REPRESENTATIVES, U. S.,
WASHINGTON, D. C., March 3d, 1887.

My Dear Parker,—It was a painful thing to me, my parting with you this morning after so many years spent together in our efforts to have justice done by Congress to our old "mother State." I should not do justice to you, or to myself, if I failed to say that in all my life (and it has been one, as you know, of no small experience), I have never known so faithful, energetic and active an agent as you

have been, and under the most discouraging circumstances. Operating, as I have been with you for some dozen years or more, I have seen and known more of you than any one man, and I know also that you have had but little aid, and often none at all, from your own delegation; and I still further know, that often, when bills have been ready to be put on their passage, and but little, if indeed any opposition to them, and could easily have been passed, not a man of them came to your aid. Your extensive acquaintance in and out of Congress, your popularity, experience and tact alone, has kept the claims alive. When nearly all others ceased to hope, you still persevered, and have already saved to the State one and a half-million of dollars, and fully recognized by committees of the Senate and House, at the present Congress, and by unanimous reports to each; and should your long and eventful life be prolonged, a much larger amount, I confidently believe, will be placed in the treasury of our old State. Justice cannot be much longer delayed, *wholly* by the neglect of Congress.

My best wishes and cordial friendship will ever be yours.

[Signed,] PHIL. PENDLETON.

Col. John A. Parker.

P. S.—You have expended many thousand dollars, the State not one. You are entitled to and no doubt will receive the thanks of every tax-payer in the State.

I shall write you again perhaps to-morrow.

COMMUNICATION

FROM THE

Superintendent of Penitentiary

IN RELATION TO THE

NUMBER OF MALES AND FEMALES, UNDER THE AGE OF EIGHTEEN, IN THE PENITENTIARY.

SUPERINTENDENT'S OFFICE,
VIRGINIA PENITENTIARY,
RICHMOND, VA., December 17th, 1887.

TO THE HON. R. H. CARDWELL,
Speaker of the House of Delegates:

Sir,—In response to the resolution of your honorable body of date the 14th instant, I have the honor to make the the following report, viz.:

TOTAL NUMBER OF PERSONS UNDER EIGHTEEN YEARS OF AGE.

Males	171
Females	22
TOTAL	193

Giving you the counties from which they were received.

Very respectfully,

W. W. MOSES,
Superintendent.

MEN AGE EIGHTEEN YEARS AND UNDER WHEN RECEIVED AT PENITENTIARY.

COUNTY.	CRIME.	AGE.	TERM.	AT WORK ON.
Fairfax	1 House-breaking	16	2 years	Public works.
Fairfax	1 House-breaking	15	2 "	Public wo ks.
Pittsylvania	1 Robbery	18	3 "	Public works.
Montgomery	1 House-breaking	17	3 "	Shoe-shop.
Augusta	1 Horse-stealing	18	9 "	Shoe-shop.
Caroline	1 Horse-stealing	18	3 "	Shoe-shop.
Nottoway	1 House-breaking	16	2 "	Shoe-shop.
Buckingham	1 House-breaking	16	2 "	Shoe-shop.
Norfolk	1 House-breaking	18	2 "	Public works.
Nansemond	1 Attempted rape	18	3 "	Public works.
Rockbridge	1 House-breaking	16	3 "	Shoe-shop.
Wythe	1 Burglary	16	5 "	Shoe shop.
Amelia	1 House breaking	18	2 "	Shoe-shop.
Louisa	1 House-breaking	16	2 "	Shoe-shop.
Montgomery	4 Car-breaking	Two 15, one 16, one 17.	3 and 4 yrs.	Shoe-shop.
Bedford	1 Obstructing railroad	18	12 years	Shoe-shop.
Cumberland	1 House breaking	13	3 "	Shoe shop.
Albemarle	1 House-breaking	18	2 "	Shoe-shop.
Washington	1 Malicious assault	17	1 "	Tobacco factory.
Buckingham	1 Horse-stealing	18	3 "	Shoe-shop.
Henry	1 Malicious assault	18	1 "	Tobacco factory.
Wythe	1 House-breaking	18	3 "	Shoe-shop.
Brunswick	1 Malicious assault	18	4 "	Shoe-shop.
Prince William	1 Malicious assault	13	4 "	Shoe-shop.
Prince William	1 House-breaking	16	2 "	Shoe-shop.
Danville	1 Attempted rape	18	6 "	Tobacco factory.
Danville	1 Grand larceny	18	6 "	Shoe-shop.
Danville	1 Grand larceny	13	1 "	Laborer.
Henry	1 Horse-stealing	16	4 "	Shoe-shop.

Patrick	1 House-breaking	18	8 years	Shoe-shop.
Page	1 House-breaking	18	3 "	Shoe shop.
Amherst	1 House-breaking	17	19 "	Shoe-shop.
Amherst	1 Rape	16	20 "	Shoe shop.
Amherst	1 Rape	14	14 "	Shoe-shop.
Fluvanna	1 Murder, second degree	18	17 "	Public works.
Lunenburg	1 Rape	18	20 "	Shoe-shop.
Amelia	1 House-breaking	17	19 "	Shoe-shop.
Nansemond	1 Rape	18	30 "	Shoe-shop.
Norfolk city	1 House-breaking	17	13 "	Shoe-shop.
Campbell	1 Rape	20	15 "	Shoe-shop.
Prince George	1 Murder, second degree	18	18 "	Shoe-shop.
Henry	1 Arson	17	15 "	Shoe-shop.
Halifax	1 House-breaking	18	15 "	Shoe shop.
Norfolk	1 House breaking	18	20 "	Shoe-shop.
Chesterfield	1 Murder, second degree	18	20 "	Shoe shop.
Southampton	1 Burglary	16	16 "	Shoe shop.
Bland	1 Murder, second degree	18	18 "	Tobacco factory.
Amelia	1 Buggery	16	13 "	Shoe-shop.
Louisa	1 Jail-burning	14	11 "	Shoe-shop.
Petersburg	1 House-breaking	18	10 "	Tobacco factory.
Charlotte	1 Arson	18	8 "	Shoe-shop.
Pittsylvania	1 Murder, second degree	17	10 "	Shoe-shop.
Surry	1 House-breaking	18	10 "	Shoe-shop.
Botetourt	1 Malicious assault	18	6 "	Shoe-shop.
Nansemond	1 Rape	16	20 "	Shoe-shop.
Norfolk	1 House breaking	15	5 "	Shoe shop.
Rockbridge	1 Rape	18	10 "	Shoe-shop.
Franklin	1 Grand larceny	17	5 "	Shoe-shop.
Fairfax	1 Attempted rape	17	5 "	Shoe shop.
Albemarle	1 Attempted rape	17	7 "	Shoe-shop.
Nottoway	1 Grand larceny	18	5 "	Shoe-shop.
Richmond city	1 House-breaking	17	5 "	Shoe-shop.
Tazewell	1 Attempted rape	15	5 "	Public works.
Scott	1 Murder, second degree	17	12 "	Shoe-shop.
Fauquier	1 House-breaking	18	7 "	Shoe-shop.
Princess Anne	1 House-breaking	18	8 "	Public works.
Warren	1 Robbery	17	11 "	Shoe-shop.
Petersburg	1 House-breaking	18	24 "	Shoe-shop.

MEN AGE EIGHTEEN YEARS AND UNDER WHEN RECEIVED AT PENITENTIARY—Con.

COUNTY.	CRIME.	AGE.	TERM.	AT WORK ON.
Petersburg	1 Burglary	16	10 years	Shoe-shop.
Petersburg	1 House-breaking	15	16 "	Shoe-shop.
Louisa	1 House breaking	14	5 "	Shoe-shop.
Charles City	1 House-breaking	16	5 "	Shoe-shop.
Amherst	1 Arson	18	12 "	Tobacco factory.
Shenandoah	1 House-breaking	17	8 "	Public works.
Albemarle	1 Horse stealing	15	5 "	Public works.
Halifax	1 Murder, second degree	17	5 "	Public works.
Cumberland	1 Murder, second degree	18	10 "	Shoe shop.
Richmond city	1 House-breaking	17	5 "	Public works.
Richmond city	1 Murder, second degree	18	18 "	Tobacco factory.
Norfolk	1 Grand larceny	16	5 "	Shoe-shop
Highland	1 Burglary	16	4 "	Shoe-shop.
Nansemond	1 Grand larceny	18	3 "	Shoe-shop.
Northumberland	2 Rape	15 and 16	10 & 10 yrs.	Shoe shop
Richmond city	1 Unlawful cutting	16	6 years	Shoe shop.
Alleghany	1 House-breaking	17	4 "	Shoe-shop.
Essex	1 Rape	15	4 "	Shoe shop.
Dinwiddie	1 Rape	18	3 "	Tobacco factory.
Augusta	1 House-breaking	16	3 "	Shoe-shop.
Augusta	1 Burglary	18	3 "	Shoe shop.
Powhatan	1 House-breaking	17	8 "	Shoe shop.
Essex	1 House-breaking	16	10 "	Shoe-shop.
Appomattox	1 Rape	17	3 "	Shoe shop.
Essex	1 Horse-stealing	14	8 "	Shoe shop.
Albemarle	1 Murder, second degree	15	8 "	Shoe shop.
Shenandoah	1 Horse-stealing	15	3 "	Public works.
Rockbridge	1 Malicious cutting	18	4 "	Shoe-shop.
Albemarle	1 Arson	12	3 "	Laborer.
Prince William	1 House-breaking	15	3 "	Shoe shop.

Caroline	1	Attempt rape	7	14 years	Shoe-shop.
Caroline	1	Burglary	17	10 "	Shoe-shop.
Loundon	1	House-breaking	16	4 "	Shoe shop.
Floyd	1	House-breaking	15	3 "	Shoe-shop.
Hanover	1	Burglary	15	3 "	Shoe-shop.
Nansemond	1	Arson.	18	10 "	Shoe-shop.
Washington	1	House-breaking	18	2 "	Shoe shop.
Pittsylvania	1	Forgery	18	2 "	Shoe shop.
New Kent	1	House breaking	16	2 "	Shoe-shop.
Chesterfield	1	Murder, second degree	14	5 "	Public works.
Floyd	1	House-breaking	17	2 "	Shoe-shop.
Hanover	1	House-breaking	18	4 "	Shoe-shop.
Petersburg	1	House-breaking	14	2 "	Shoe-shop.
Hanover	1	House-breaking	18	4 "	Shoe-shop.
Hanover	1	House-breaking	17	2 "	Tobacco factory.
Norfolk	1	House-breaking	18	2 "	Shoe-shop.
Norfolk	1	House-breaking	16	2 "	Shoe-shop.
Cumberland	1	Murder, second degree	18	15 "	Laborer.
Page	1	House breaking	18	2 "	Shoe-shop.
Amelia	1	Grand larceny	16	2 "	Shoe-shop.
Augusta	1	Horse stealing	18	7 "	Shoe-shop.
Augusta	1	Grand larceny	17	3 "	Laborer.
Wythe	1	Malicious assault	16	2 "	Shoe-shop.
Spotsylvania	1	Arson.	17	8 "	Shoe-shop.
Rappahanock	1	Grand larceny	18	2½ "	Shoe-shop.
Roanoke	1	Burglary	17	5 "	Shoe-shop.
Lee	1	Burglary	17	2 "	Shoe-shop.
Washington	1	Horse-stealing	17	3 "	Shoe-shop.
Bedford	1	Obstructing railroad	16	6 "	Shoe-shop.
Richmond city	1	House-breaking	16	2 "	Tobacco factory.
Norfolk	1	Burglary	18	8 "	Shoe-shop.
Pittsylvania	1	House-breaking	18	4 "	Public works.
Orange	1	House-breaking	18	2 "	Public works.
Rockingham	1	Burglary	17	2 "	Shoe-shop.
Nottoway	1	House-breaking	13	2 "	Shoe-shop.
James City	1	House-breaking	18	2 "	Shoe-shop.
Staunton	1	Grand larceny	16	2 "	Shoe-shop.
Prince Edward	1	Forgery	16	2 "	Shoe-shop.
Goochland	1	Jail-burning	14	5 "	Shoe-shop.

MEN AGE EIGHTEEN YEARS AND UNDER WHEN RECEIVED AT PENITENTIARY—Con.

COUNTY.	CRIME.	AGE.	TERM.	AT WORK ON.
Norfolk	1 Rape	17	10 years	Shoe-shop.
Norfolk	1 House-breaking	16	2 "	Shoe-shop.
Roanoke city	1 Grand larceny	18	1 "	Public works.
Charlotte	1 Grand larceny	16	5 "	Shoe-shop.
Prince Edward	1 House breaking	18	2 "	Shoe-shop.
Prince Edward	1 House breaking	18	9 "	Shoe-shop.
Richmond city	1 Burglary	14	5 "	Shoe-shop.
Buckingham	1 Horse stealing	15	3 "	Shoe-shop.
Danville	1 Grand larceny	16	1 "	Public works.
Danville	1 House-breaking	16	2 "	Public works.
Shenandoah	1 Voluntary manslaughter	16	3 "	Public works.
Richmond city	1 Rape	18	4 "	Tobacco factory.
Pittsylvania	1 House-breaking	16	2 "	Shoe-shop.
Norfolk	1 House-breaking	17	2 "	Shoe-shop.
Buckingham	1 House-breaking	18	5 "	Shoe-shop.
Prince Edward	1 House-breaking	16	5 "	Shoe-shop.
Richmond	1 Grand larceny	17	1 "	Laborer.
Richmond city	1 Malicious assault	17	1 "	Tobacco factory.
Southampton	1 House-breaking	16	2 "	Laborer.
Rockingham	1 Burglary	12	5 "	Shoe-shop.
Bedford	1 Grand larceny	16	3 "	Shoe-shop.
Petersburg	1 Grand larceny	14	1 "	Tobacco factory.
Princess Anne	1 Burglary	16	5 "	Shoe-shop.
Richmond city	2 Malicious assault	15 and 17	each 2 years.	Tobacco factory.
Louisa	1 Rape	18	10 years	Shoe-shop
Amherst	1 Malicious assault	15	1 "	Laborer.
Charlotte	1 House-breaking	17	2 "	Laborer.

Total number of males 18 years of age and under, 171.

FEMALES AGE EIGHTEEN YEARS AND UNDER WHEN RECEIVED AT PENITENTIARY.

COUNTY.	CRIME.	AGE.	TERM.	AT WORK ON.
Amherst	1 Grand larceny	17	5 years	Shoe-shop.
Albemarle	1 Grand larceny	15	3 "	Shoe-shop.
Albemarle	1 House breaking	13	3 "	Shoe-shop.
Culpeper	1 Poisoning	14	3 "	Shoe-shop.
Charlotte	1 House-breaking	16	2 "	Shoe-shop.
Surry	1 Murder, second degree	18	18 "	Shoe-shop.
Isle of Wight	1 Murder, second degree	15	18 "	Shoe-shop.
Louisa	1 Murder, second degree	17	18 "	Shoe-shop.
Richmond city	1 Murder, second degree	16	5 "	Shoe-shop.
Richmond city	1 Abduction and seduction	16	8 "	Shoe-shop.
Dinwiddie	1 House-breaking	17	5 "	Shoe-shop.
Petersburg	1 Grand larceny	16	8 "	Shoe shop.
Louisa	1 Arson	16	9 "	Shoe-shop.
Rockingham	1 Grand larceny	17	8 "	Shoe-shop.
Grayson	1 House breaking	18	2 "	Shoe-shop.
Floyd	1 Arson	17	8 "	Shoe-shop.
Fredericksburg	1 Robbery from person	17	2 "	Shoe-shop.
Pittsylvania	1 Murder, second degree	15	10 "	Shoe-shop.
Pittsylvania	1 Infanticide	16	5 "	Shoe-shop.
Loudoun	1 Murder, second degree	17	18 "	Shoe-shop.
Prince George	1 Murder, second degree	13	18 "	Shoe-shop.
Danville	1 Perjury	15	2 "	Shoe-shop.

Total number of females eighteen years of age and under, 22

Total number of males and females eighteen years of age and under, 193.

HOUSE DOC. No. V.

COMMUNICATION

FROM THE

Superintendent of Penitentiary,

IN RELATION TO THE

SOUTH ATLANTIC AND OHIO RAILROAD COMPANY, &C.

COMMUNICATION FROM THE SUPERINTENDENT OF PENITENTIARY.

SUPERINTENDENT'S OFFICE,
VIRGINIA PENITENTIARY,
RICHMOND, VA., January, 1888.

HON. R. H. CARDWELL,

Speaker of the House of Delegates:

Sir,—In response to a resolution offered by Mr. H. L. Carter, delegate from the city of Richmond, and agreed to on the 16th instant, asking information in regard to the South Atlantic and Ohio railroad company, &c., is herewith respectfully submitted, viz:

First.—What have been the disbursements by the State to the South Atlantic and Ohio railroad company and its predecessor companies, in cash, on account of convicts on their work?

Answer.—The amount paid the South Atlantic and Ohio railroad company to date is twenty-one thousand four hundred and seventy-six dollars and twenty-three cents ($21,476.23); the amount paid its predecessor company (the Bristol Coal and Iron Narrow-Gauge railroad company, was paid by the auditor of public accounts, and I respectfully refer you to him for the information asked for on that point.

Second.—All other costs to the State for said convicts?

Answer.—The amounts paid the South Atlantic and Ohio railroad company and the Bristol Coal and Iron Narrow-Gauge railroad company, covers all expense to the State for said convicts.

Third.—What sums in cash have been received by the State from said company?

Answer.—Nothing, that I am aware of.

Fourth.—What amount has been received by the State in securities at par, and also the present market value of the same?

Answer.—From what information I have obtained, the South Atlantic and Ohio railroad company have deposited with the treaurer of the commonwealth twenty thousand dollars ($20,000) of its first mortgaged 6 per cent. bonds, which are held by the commonwealth as collateral; as to their par and present market value I know nothing, and would respectfully refer you to the treasurer of the commonwealth for further information on that point.

Fifth.—A copy of the contract under which said convicts are held?

Answer.—A copy of the contract is herewith enclosed, marked No. 1.

Sixth.—What amount is now due the State from said company?

Answer.—This is embraced in my first answer.

Seventh.—Are there any applications for convicts now on file on terms that are more favorable to the State?

Answer.—Applications on file with the governor, under the act approved March 6th, 1886, "known as the Van Doran bill:" the Farmville and Powhatan railroad

company applies for not less than one hundred nor more than two hundred convicts; the Abingdon coal and iron company applies for two hundred and fifty convicts; the Roanoke and Southern railroad company applies for two hundred and fifty (250) convicts; the Great Southern railroad company applies for ——— number of convicts.

Capt. J. C. Davis, contractor on the Clinch river division of the Norfolk and Western railroad company, agrees to pay eighty cents (80c.) per day for each convict under the 6th section of the bill, "known as the Van Doran bill," approved March 6th, 1886. This last applicant, in my opinion, is the only one which is more favorable to the interest of the State than the contract with the South Atlantic and Ohio railroad company.

Respectfully,

W. W. MOSES, *Sup't.*

THE CONTRACT.

This contract, made and entered into this 17th day of November, 1885, between William E. Cameron, governor of the State of Virginia, of the first part, and the South Atlantic and Ohio railroad company, of the second part, witnesseth:

1st. That in pursuance of the provisions of acts of the General Assembly of Virginia, entitled an act to incorporate the Bristol Coal and Iron Narrow-Gauge railroad company, and to transfer to it certain franchises, rights, privileges and properties of the Virginia and Kentucky railroad company, approved March 27, 1876, as amended by an act entitled an act to amend and re-enact the 3rd, 5th, 7th, 9th, 10th and 11th sections of an act entitled an act to incorporate the Bristol Coal and Iron Narrow-Gauge railroad company, and to transfer to it certain franchises, rights, privileges and properties of the Virginia and Kentucky railroad company, approved March 27, 1876, approved March 21, 1877, and an act entitled an act to amend and re-enact the 1st section of an act entitled an act to provide for the working of penitentiary convicts on the Danville and New River railroad, approved March 27, 1876, and to repeal the 2d section of the said act, and to furnish penitentiary convicts to any company which may construct a railroad in the counties of Henry and Patrick, or either of them; to the Washington, Cincinnati and St. Louis Narrow-Gauge railroad, Staunton and Parkersburg turnpike, the Upper Appomattox company, and the Bristol Coal and Iron Narrow-Gauge railroad company, approved February 28th, 1878. And whereas, the General Assembly of Virginia passed an act entitled an act to change the name of the Bristol Coal and Iron Narrow-Gauge railroad company to South Atlantic and Ohio railroad company, and confer certain privileges thereon, approved January 26, 1882. The governor of Virginia will furnish the said South Atlantic and Ohio railroad company, free of hire, so many convicts as are not actually employed in the workshops of the penitentiary at manufacturing or mechanical labor, to be used and employed for the purposes set forth in said act, in such numbers and at such times as the president of said South Atlantic and Ohio railroad company may call for the same, until the said railroad shall be completed.

2nd. The president of the South Atlantic and Ohio railroad company may, from time to time, make requisition on the superintendent of the penitentiary for convicts, under the provisions of this contract, and the superintendent shall furnish the same, so far as it shall be within his power, and the said superintendent shall also furnish, upon the requisition of the president of said company, any and all convicts which are now employed upon any public works, at the expiration of the leases or contract under which they, the said convicts, are employed, and deliver the same to the South Atlantic and Ohio railroad company at the nearest convenient point for the transportation to the terminus of the South Atlantic and Ohio railroad.

3rd. The transportation of said convicts shall be furnished and paid for from the place of delivering by the South Atlantic and Ohio railroad company.

4th. Rules and regulations for the general conduct, guarding, maintenance, clothing, and medical attendance of the convicts, to be furnished under this contract, shall be from time to time prescribed by the superintendent of the penitentiary, with the approval of the governor. True and detailed statements of the expenses of maintaining, guarding and clothing said convicts, and of their medical attendance, shall be, on or before the 14th day of each month, certified by the president of the South Atlantic and Ohio railroad company to the governor, through the superintendent of the penitentiary, who shall endorse his approval of the same, and the amount thus expended and approved shall be paid by the auditor of public accounts to the president of the South Atlantic and Ohio railroad company upon the requisition of the governor. But the cost to the State of such maintenance, guarding, clothing and medical attendance shall not exceed the cost of maintenance, guarding, clothing, medical attendance per day *per capita* of convicts in the penitentiary, as shown in the last preceding report of the superintendent, and all excess over this amount shall be paid by the South Atlantic and Ohio railroad company.

5th. The convicts employed under this contract shall be returned whenever the work of said company is completed, and the expense of transporting them from the works on said railroad shall be paid by the said South Atlantic and Ohio railroad company.

6th. The convicts, while in service of said company, shall not be required to work on Sunday, and the rules, regulations, and discipline for convicts in the penitentiary, so far as practicable, shall be observed and enforced by and upon them while in such service. For all convicts received by the said company the president of the same shall deliver to the superintendent of the penitentiary his written receipt, giving the names and other concurrent description of the convicts furnished; and in case of the escape of any convict, all expenses incurred in his recapture shall be borne by said company. For each escaped convict not recaptured, the said company shall pay fifty dollars as liquidated damages. The said company bind themselves not to take, or permit to be taken, any of said convicts beyond the limits of the State of Virginia.

7th. It is further agreed that the said South Atlantic and Ohio railroad company, through its president, shall execute a proper bond, in the penal sum of eight thousand dollars, conditioned upon the faithful performance of this contract on its part. This contract shall be in force from and after the date thereof.

Witness the following signatures and seals, the day and year first written above.

[Signed,] W. E. CAMERON, [SEAL.]

SOUTH ATLANTIC AND OHIO RAILROAD COMPANY,

H. C. WOOD, *President*, [SEAL.]

I certify that the above is a true copy of the original contract.

[Signed,] R. D. WARD, *Notary*.

November 17th, 1885.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
RICHMOND, VA., *November 18th, 1885.*

The above is a true copy of the contract between W. E. Cameron, governor of Virginia and H. C. Wood, president of the South Atlantic and Ohio railroad company, which has this day been filed in this office.

[Signed,] H. W. FLOURNOY,
Secretary of the Commonwealth.

The form of the foregoing contract is approved, and is legally executed.

[Signed,] F. S. BLAIR,
Attorney-General.

HOUSE DOC. No. VI.

A COMMUNICATION

FROM THE

GOVERNOR OF VIRGINIA

TRANSMITTING THE

REPORT OF THE SECOND AUDITOR ON THE CONDITION OF THE "MILLER FUND."

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
RICHMOND, VA., *January* 31, 1888.

To the Legislature:

I have the honor to transmit herewith the report of the Second Auditor on the condition of the "Miller Fund."

Very respectfully,

FITZHUGH LEE.

THE MILLER FUND.

COMMONWEALTH OF VIRGINIA,
SECOND AUDITOR'S OFFICE,
RICHMOND, *January* 1, 1888.

His Excellency FITZHUGH LEE,
Governor of Virginia:

SIR:

Under the provisions of the will of Samuel Miller, deceased, for the establishment and perpetual support of a school on the manual labor principle, on a tract of land in the county of Albemarle, and the act of Assembly of February 24, 1874, entitled "An act to give effect to a compromise of the litigation in respect to the construction and effect of the will of Samuel Miller, deceased, and to establish the Manual Labor School, provided for in the twenty-fifth clause of said will," it is made the duty of the Second Auditor to open and keep a separate account of the fund given in trust for the above purpose, to be denominated the Miller Fund, and, annually, on the 31st of December, to make and render a true and accurate account of the fund, showing distinctly and in detail the receipts and disbursements on account of the same during the year immediately preceding, a copy of which account, verified by the oath of the Second Auditor, is required to be delivered to the Governor, to be by him laid before the Legislature, and another copy thereof, verified in like manner, to be published for one month in two newspapers—one printed in the town of Charlottesville, and the other in the city of Richmond.

In the discharge of this duty, I have the honor to present the following statement:

PRINCIPAL.

Receipts and disbursements on account of the principal of the fund from December 31, 1886, to and including December 31, 1887:

RECEIPTS.

1887.		
May 5.	From Robert T. Craighill, attorney, collection on account of an old claim in the chancery suit in the Circuit Court of Campbell county of Williams, Adm'r, &c., *vs.* Vermillion's Heirs and Perkins, &c., $1,071.47; less fee and commission, $303.57	$ 767 90
1886.		
Dec. 31.	Balance in the State Bank of Virginia to the credit of the principal of the fund	778 58
		$1,546 48

DISBURSEMENTS.

1887.			
June 2.	For the purchase of $2,000 of Virginia new 3 per cent. registered bonds bearing interest from 1st January, 1887, issued under act of February 14, 1882, at 65¼ per cent., $1.305; commission, $5		$1,310 00
Dec. 8.	For insurance in the Virginia State Insurance Company, Richmond, Va., of the property at Harper's Ferry, W. Va., belonging to the Miller Fund, for one year from December 8, 1887		50 00
			$1,360 00
1887.			
Dec. 31.	Balance in the State Bank of Virginia to the credit of the principal of the fund		186 48
			$1,546 48

INCOME.

Receipts and disbursements on account of the income of the fund from December 31, 1886, to December 31, 1887:

RECEIPTS.

1887.				
Jan'y 4.	Interest for six months to 1st January, 1887, on $770, Lynchburg city 6 per cent. registered bonds	$23 10		
July 6.	Ditto for six months to 1st July, 1887, on do	23 10		$46 20
Jan'y 8.	Interest for six months to 1st January, 1887, on Virginia 6 per cent. registered bonds, on $909,200 consol bonds, on $60,300 "peeler" bonds, $68.49 fractional certificate, and on $75,300 of 3 per cent. 10-40 registered bonds	$30,216 55		
July 2.	Ditto for six months to 1st July, 1887, on do	30,216 55		$60,433 10
Jan'y 8.	Interest for six months to 1st January, 1887, on $149,400 of Virginia 3 per cent. registered bonds, issued under act of February 14, 1882	$2,241 00		
Nov. 22.	Ditto for six months to 1st July, 1887, on $151,400 of do	2,271 00		$4,512 00
March 10.	Dividend for six months to 1st January, 1887, on 410 shares—$41,000—Bank of Kentucky stock	$1,640 00		
July 7.	Ditto, 1st July, 1887, on do	1,640 00		$3,280 00

April	1.	Interest for three months to 1st April, 1887, on $61,000 of United States 4 per cent. per annum registered bonds . . .	$610 00	
June	29.	Ditto for three months to 1st July, 1887, on do.	610 00	
Sept.	26.	Ditto for three months to 1st October, 1887, on do.	610 00	
Dec.	29.	Ditto for three months to 1st January, 1888, on do.	610 00	
				$2,440 00
Nov.	22.	Interest for twelve months to 1st July, 1887, on $2,000 Richmond city 8 per cent. registered bond.		160 00
Nov.	22.	Interest for twelve months to 1st November, 1887, on $600 Richmond and Danville Railroad Company's 6 per cent. registered bond		36 00
		Interest on money of the Miller Fund deposited in the Planters National Bank of Richmond, Va., from 1st December, 1886, to 1st December, 1887.		1,054 64
		Amount of receipts on account of the income of the fund		$71,961 94
1886.				
Dec.	31.	Balance in the treasury to the credit of the Miller Fund on account of income .		39,765 72
				$111,727 66

DISBURSEMENTS.

Disbursements under orders of the County Court of Albemarle and orders approved by the Board of Education.

1887.				
Jan'y	5.	To C. E. Vawter, Superintendent of the Miller Manual Labor School of Albemarle, for current and other expenses,	$5,783 65	
Feb.	12.	do do	4,226 23	
March	10.	do do	6,365 95	
April	12.	do do	6,879 23	
May	9.	do do	6,259 48	
June	15.	do do	8,594 54	
July	11.	do do	5,878 64	
Aug.	11.	do do	6,770 94	
Sept.	22.	do do	7,544 38	
Oct.	10.	do do	9,365 02	
Nov.	10.	do do	8,892 45	
Dec.	8.	do do	7,488 43	
				$84,048 94

Jan'y	8.	To Frank G. Ruffin, payment of one per cent. due him as Second Auditor on $34,144.99, the amount paid into the Treasury to the credit of the Miller fund on account of the income of the fund from August 5th, 1886, to and including January 8th, 1887.	$341 44	
March	10.	Ditto on $1,922.63 from January 8th to and including March 10th, 1887.	19 22	
July	2.	Ditto on $31,708.62 from March 10th to and including July 2d, 1887	317 08	
				677 74
Feb.	10.	To C. L. Moore, for certifying acknowledgment of Frank G. Ruffin, Second Auditor, and Secretary of the Miller Manual Labor School of Albemarle, to his report of the Miller fund for the year 1886 . .		50
April	13.	To the Richmond *Whig*, for printing the annual report of the Second Auditor, for the year 1886, of the Miller fund . .		130 00
July	1.	To Frank G. Ruffin, his expenses to Louisville and back to attend a called meeting of the Bank of Kentucky, in which the Miller fund holds 410 shares of stock.		55 50
Nov.	22.	To H. B. Burnley, payment of his claims, as Clerk of Albemarle County Court, against the Miller fund		118 26
Amount of disbursements from the income of the fund, 1887,				$85,030 94
December 31.		Balance in the Treasury to the credit of the Miller fund on account of income		26,696 72
				$111,727 66

Securities Belonging to the Miller Fund.

The following is a statement of the securities belonging to the Miller Fund in the custody of the Second Auditor:

Virginia registered 6 per cent. consol bonds	$909,200 00
Virginia registered 6 per cent. "peeler" bonds	60,368 49
Virginia registered bonds issued under act of March 28, 1879, dated January 1, 1879, bearing 3 per cent. per annum interest for ten years; 4 for twenty years, and 5 for ten years	75,300 00
Virginia registered 3 per cent. bonds issued under act of February 14, 1882	151,400 00
Richmond and Danville Railroad Company's 6 per cent. registered bonds due May 1, 1890	600 00
Richmond city 8 per cent. registered bonds due January 1, 1907	2,000 00

United States 4 per cent. per annum registered bonds due July 1, 1907	61,000 00
Bank of Kentucky certificate for 410 shares of stock	41,000 00
Lynchburg city 6 per cent. registered bond	770 00
Making an amount of	$1,301,638 49
On which an annual interest, including dividend on the Bank of Kentucky stock estimated at $3,280, may be relied upon, amounting to	$70,937 30

The following securities belonging to the fund are of doubtful or of no value:

Shares of stock in the Lynchburg and Danville Railroad Company (doubtful value)	$3,000 00
Orange and Alexandria Railroad Company registered bonds (no value)	2,565 00
Shares of Merchants Bank of Virginia stock (no value)	1,000 00
Shares of stock in the Southern Pacific Railroad Company (no value)	16,700 00
State of Indiana, Wabash and Erie Canal Company 5 per cent. stock (no value)	26,775 00
Richmond and York River Railroad Company's 8 per cent. coupon bonds (no value)	47,000 00
Richmond and York River Railroad Company's certificate (no value)	5,400 00
The farm in Amherst county, Va., that belonged to the fund, has been sold for $4,585.55. Bonds aggregating payable in one, two and three years from September 4, 1884, given for purchase money after deducting cash payment, are now held by the fund, on which there has been paid $467.67 on account of principal, and $24.78 on account of interest.	$4,127 01
There is a house and lot in Harper's Ferry, W. Va., owned by the fund, estimated to be worth	3,000 00
It will be seen by the statement of receipts and disbursements, on account of income, that there is in the treasury to the credit of the fund in cash for the maintenance and support of school, December 31, 1887	26,696 72
And to the credit of the fund in the State Bank of Virginia a balance of principal of	186 48

Respectfully submitted,

FRANK G. RUFFIN,
Second Auditor and Secretary of the Miller Manual Labor School of Albermarle.

City of Richmond, Va.:

I, C. Lee Moore, notary public for the city aforesaid, do certify that Frank G. Ruffin this day made oath before me that the foregoing statements are true to the best of his knowledge and belief.

Given under my hand this 28th day of January, 1888.

C. LEE MOORE,
Notary Public.

COMMUNICATION

FROM THE

GOVERNOR OF VIRGINIA

IN RELATION TO THE

DESTRUCTION OF A PORTION OF THE PENITENTIARY BY FIRE, AND INCLOSING OPINION OF THE ATTORNEY-GENERAL AS TO LEGAL CONSTRUCTION OF THE CONTRACT WITH JOS. DAVIS SHOE COMPANY, &c.

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
RICHMOND, VA., *February 2, 1888.*

To the Legislature:

I have the honor to transmit herewith a communication from the board of directors of the Virginia penitentiary, in reference to the recent loss of that portion of the building occupied by Mr. Joseph Davis for shoe shops, under a contract with the State.

For your information it may be proper to add, that the existing contract between the State of Virginia and Mr. Davis was made by and with the advice and consent of the Hon. Wm. E. Cameron, then governor of the State, on the 28th day of July, 1885, or about five months before I entered upon the discharge of the duties of this office.

A former contract, by this agreement, was extended for a period of five years after the expiration of its term, namely, from and after the 1st day of May, 1887, and was thus continued until the 1st day of May, 1892.

In April, 1886, in response to my request, the attorney-general gave me his written opinion, that this contract had been legally executed, pursuant to authority conferred by the acts of the General Assembly of Virginia, and was obligatory upon the State.

In reconsidering the terms of the contract on the part of the State with Mr. Davis, since the destruction of the building assigned to him for his shops, I have thought proper to ask the attorney-general for his opinion as to the present obligation of the State under its contract with Mr. Davis to provide another building in which his former work could be renewed. I submit herewith his response to that request.

FITZHUGH LEE.

COMMONWEALTH OF VIRGINIA,
OFFICE BOARD OF DIRECTORS VIRGINIA PENITENTIARY,
RICHMOND, VA., *January 31, 1888.*

To his Excellency, GOVERNOR FITZHUGH LEE:

Dear Sir,—It is our duty to inform you that between five and six o'clock this morning a large building of this institution, known as the "shoe shop," and occupied by the "Davis Shoe Co.," lessee, was destroyed by fire. The loss to the State we have not yet been able to ascertain with accuracy, but it will not exceed $20,000. The Davis Shoe Co., through their representative here, Mr. George, ask that the building be replaced at once, in order that they may resume work with as little loss of time as possible, in accordance with the contract entered into between them and Governor Cameron, and which expires in May, 1892. Every month of interruption of this contract entails a heavy loss to the State.

As to the origin of the fire, our investigation so far made does not afford sufficient information to enable us to make a trustworthy report, but we mean to pursue the enquiry with all diligence, unless the Legislature thinks that it would be better for one of its committees to undertake this duty.

JOHN R. COOKE,
W. D. CHESTERMAN,
F. W. CHAMBERLAYNE.
W. W. MOSES,
Superintendent.

COMMONWEALTH OF VIRGINIA,
ATTORNEY-GENERAL'S OFFICE,
RICHMOND, *February 2, 1888.*

His Excellency, FITZHUGH LEE, ESQ.,
Governor of Virginia:

Sir,—I have the honor to acknowledge the receipt of your request for my opinion in writing as to whether there is any legal obligation resting upon the State under the terms of the contracts made with the superintendent of the penitentiary by Joseph Davis, dated, respectively, the 7th day of April, 1880, and the 28th day of July, 1885, to re-build the shoe shops recently destroyed by fire at the penitentiary

The contract of July 28th, 1885, is a renewal of the contract of April 7th, 1880, and refers to and adopts the terms of that contract, with some additional provisions and conditions.

The terms of the contract of the 7th of April, 1880, so far as they are material to this enquiry, are as follows:

"And the said party of the first part is also to furnish to the party of the second part, free of rent, whatever buildings may be required for the contemplated manufacture, except that it is understood that he is not bound to have any new buildings erected for this purpose, and also understood and agreed that if the buildings at any time in use by the said party of the second part should be destroyed by fire or other causes, said party of the second part shall not be bound to pay for the labor of any of the said convicts who may be thus thrown out of employment, until new or suitable buildings shall be placed at his disposal."

The contract of the 28th day of July, 1885, has this additional provision in regard to the buildings, viz.:

"Said Davis agrees to hire and employ, at the same rate, one hundred and fifty (150) additional male convicts, making five hundred (500) in all, whenever the party of the first part will provide suitable and ample building or rooms for working them, and as many female convicts additional, also at the same rate he is now paying for them, as the party of the first part will furnish and provide proper working rooms for."

The contract of July, 1885, further recites, that

"All convicts furnished and employed hereunder are to be furnished and employed upon the terms and provisions of said Davis contract of April 7th, 1880, except so far as herein modified."

The contracts contain many other provisions and conditions not material to be considered in this connection.

After giving the fullest consideration possible in the limited time I have had within which to examine the contracts, I am of the opinion that there is no legal obligation resting upon the State to rebuild the shoe shops occupied by Davis under the contracts recited. An express provision of the first contract exempted the State from any obligation to erect new buildings, and to provide for the contingency which might arise from a destruction of the buildings by fire or other cause. It was agreed that in such event Davis should not be bound to pay for the labor of any of the convicts who might be thus thrown out of employment until new or suitable buildings should be placed at his disposal.

I am of opinion, therefore, that it is optional with the State whether or not she will rebuild the shops, and in the meantime Davis is exempted from any obligation to pay hire for any convicts thrown out of employment on account of the destruction of the shops by fire.

Very respectfully,

R. A. AYERS,
Attorney-General.

A COMMUNICATION

FROM THE

GOVERNOR OF VIRGINIA

TRANSMITTING

A LIST OF PARDONS, &C.

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
RICHMOND, VA., *March* 1, 1888.

To the Legislature:

In accordance with the mandate of the Constitution, I have the honor to transmit a list of persons pardoned, reprieved, or whose punishment has been commuted during the last two years, with the reasons for remitting, commuting, or granting the same.

FITZHUGH LEE.

PARDONS.

1. Soney Wines, Warrenton, Va., convicted December, 1885, of carrying concealed weapons, and sentenced to jail in default of payment of a fine of $20; pardoned January 6, 1886, upon recommendation of the mayor upon the ground that the weapon was not intended to be carried concealed.

2. Allen Smith, Wythe county, convicted December, 1885, of felony, and sentenced to three years in the penitentiary; pardoned February 1, 1886, on account of the extreme age of the prisoner and unreliable proof of his guilt.

3. J. W. Conway, Richmond, convicted April 7th of theft, and sentenced to ninety days in jail; pardoned upon recommendation of the commonwealth's attorney, who, having known the prisoner to have always borne a good character, and was influenced to commit the act while under the influence of liquor.

4. Joseph Graves, Richmond, convicted in 1876 of unlawful gaming, and sentenced to jail for six months and fined one hundred dollars; pardoned upon the ground of absence from the trial, and since then has been an exile from the state, and conditionally that the fine be paid.

5. John W. Tucker, convicted April 6, 1886, of unlawful wounding, and sentenced to three months in jail and fined two hundred dollars; pardoned April 14, 1886, on recommendation of jury and evidence convincing that the act was no criminal intent, and the dependency of a large family.

6. C. P. Averett, convicted February, 1886, of disturbing a congregation assembled in public worship, and sentenced to thirty days in jail; pardoned March 4, 1886, on account of very ill health.

7. John C. Smith, convicted January, 1886, of felony, and sentenced to six months in jail; pardoned March 4, 1886, upon certificate of surgeon of jail and president of the board of health that the prisoner was suffering from consumption, and longer confinement would imperil his health.

8. George C. Milliner, convicted December 5th of assault and battery, and sentenced to six months in jail; pardoned March 9, 1886, upon recommendation of jury, clerk of court, sheriff, and citizens.

9. C. B. Stratton, Richmond, convicted September, 1886, of a misdemeanor, and sentenced to jail for four months; pardoned October 13th upon the recommendation of commonwealth's attorney and other prominent citizens.

10. Robert Porter, convicted of burning jail in December, 1885, and sentenced to three years in the state penitentiary; pardoned March 11, 1886, satisfactory evidence being produced that the boy, through ignorance of the crime, set fire to the jail during severe cold weather.

11. T. L. Jones, convicted September, 1884, of forgery, and sentenced to the penitentiary for four years; pardoned March 15, 1886, upon the recommendation of the judge, jury, commonwealth's attorney, clerk of the court, and his physician certifying the unsound condition of the prisoner's mind.

12. Simon Levine, convicted December, 1882, of horse stealing, and sentenced to the penitentiary for nine years; pardoned March 17, 1886, upon the recommendation of the judge, commonwealth's attorney, and the man from whom the horse was stolen; also upon the ground that the prisoner was quite young and under the influence of strong drink.

13. Sidney B. Made, convicted in 1881 of rape, and sentenced to the penitentiary for fifteen years; pardoned March 22, 1886. Highly recommended by the surgeon of the penitentiary; the prisoner suffering with acute "phthisis pulmonalis," rendering his recovery hopeless, and from the superintendent of the penitentiary that his conduct has been very good as a prisoner.

14. James W. Wiley, convicted of horse stealing, and sentenced to the penitentiary for twelve years; pardoned April 17, 1886, upon the recommendation of the surgeon of the state prison and the superintendent.

15. James B. Staples, convicted February, 1886, of bigamy, and sentenced to the penitentiary for three years; pardoned April 20, 1886, upon the recommendation of the judge, jury, attorney for the commonwealth, clerk of the county court, and others, with satisfactory evidence that the prisoner was not in his right mind, and other mitigating circumstances that were worthy of clemency.

16, 17, 18, and 19. William Howard, Edward Wilson, Frank Lanford, and Charles Miller, all convicted February 28, 1886, of unlawful oyster dredging, and sentenced to the county jail for two months and fifteen days; pardoned April 23, 1886, their release being highly recommended by all the officers of the county court of Mathews, where they were convicted. The prisoners were only seamen, and ignorant of the laws of Virginia prohibiting oyster dredging.

20. James Lang, convicted December 5, 1886, of assault and battery, and sentenced to the jail for six months; pardoned April 28, 1886, upon the recommendation of judge, jury, commonwealth's attorney, and others, that the applicant was worthy of clemency.

21. Allen Johnson, sentenced to ten years in the penitentiary for rape; pardoned April 29, 1886, upon the recommendation of the surgeon of the penitentiary that the life of the prisoner would be endangered by longer confinement; the superintendent concurring.

22. William Corbin, convicted March 4, 1886, of petit larceny, and sentenced to six months in jail; pardoned April 14, 1886, at the request of the attorney for the commonwealth that the prisoner is of weak mind, and has always borne a good character.

23. Lucy Brockenborough, sentenced to twelve months in the city jail for unlawful shooting; pardoned May 5, 1886, upon the written statement of the commonwealth's attorney that the facts in the case were not presented at the trial, and the term of four months, in his opinion, being sufficient punishment for the offence.

24. J. J. Watts, convicted October, 1884, and sentenced to three years in the penitentiary for horse stealing; pardoned May 6, 1886, by request of judge, jury, commonwealth's attorney, sheriff, clerk of court, and others, that the prisoner was of unsound mind, and was not morally responsible for the crime committed.

25. Margaret Morris, convicted February, 1886, of perjury, and sentenced to twelve months in jail; pardoned July 28, 1886, upon recommendation of judge, jury, and commonwealth's attorney, having, in their opinion, served a sufficient term for the expiation of the crime.

26. J. Wade Taber, convicted December, 1885, of voluntary manslaughter, and sentenced to two years in the penitentiary; pardoned July 6, 1886, upon recommendation of commonwealth's attorney, judge, jury, member of House of Delegates, and all the county officers, it being established that the accused bore no malice to the deceased, and, therefore, it is believed the shooting was accidental.

27. William Preston, convicted May, 1886, of petit larceny, and sentenced to six months in jail; pardoned July 7, 1886, owing to the youth of the prisoner, connected with strong extenuating circumstances, presented by the judge and commonwealth's attorney.

28. Joe Burks, Pittsylvania county, convicted September, 1885, of voluntary manslaughter, and sentenced to two years in the penitentiary; pardoned July 10, 1886. His petition was signed by the wife of the deceased, exonerating Burks of the crime, by the mayor of Danville, who heard all the evidence in the preliminary trial; by the commonwealth's attorney, in his opinion if the wife of the deceased had attended the trial, Burks would not have been convicted; also by the jury and others.

29. John Henry Morris, Greene county, convicted April, 1886, of voluntary manslaughter, and sentenced to five years in the penitentiary; pardoned July 20, 1886, on the recommendation of ex-Governor Kemper, and a large number of other reputable persons. Fountain Morris, the deceased, threatened to kill the father of J. H. Morris, pointing a loaded gun at him, when his son fired at deceased with a small pistol, fracturing his thigh, and from neglect he died.

30. John Preston, Washington county, convicted March, 1884, of housebreaking and burglary, and sentenced to five years in the penitentiary; pardoned July 24, 1886, upon the recommendation of the surgeon of the penitentiary, who finds, after careful examination, that the prisoner is suffering from "phthisis pulmonalis," complicated with bronchitis, and longer confinment would result in speedy death.

31. Josephine Smith, Norfolk, convicted November, 1884, of assault, and sentenced to the penitentiary for two years; pardoned July 24, 1886, upon the certificate of the surgeon of the penitentiary that longer confinement would result in death, and by an immediate pardon the prisoner could stand transportation home.

32. Parker Turner, Westmoreland county, convicted September, 1884, of attempted rape, and sentenced to three years in the penitentiary; pardoned July 24, 1886, upon surgeon's certificate and recommendation that the health of the prisoner was such that longer confinement would very seriously endanger his life.

33. James Hurley, Augusta county, convicted June, 1886, of assault and battery, and sentenced to six months in county jail; pardoned September 14, 1886, upon recommendation of the judge and commonwealth's attorney that it was a case eminently proper for the exercise of executive clemency.

34. David Breeden, Page county, convicted May and july, 1886, of unlawful shooting, and sentenced to four months in jail and fined $125; pardoned August 27, 1886, upon recommendation of nineteen out of twenty-four jurors trying him upon the charges at the May and July terms of the court, and the application of the prosecuting attorney, judge, sheriff, jailor, and a large number of citizens.

35. Phillip Braxton, Essex county, convicted July, 1886, of forgery, and

sentenced to two years in the penitentiary; pardoned on the recommendation of judge, attorney for the commonwealth, the parties against whom the offence was committed, and others.

36, 37, and 38. Enoch Johnson, Spotsylvania county; Charles Scott, Washington county; Isaac McCoy, Princes Anne county; pardoned October 15, 1887, upon certificate of surgeon of penitentiary that they "are hopelessly diseased, and will live but a short time under longer confinement."

39. John R. Sturges, Accomac county, convicted January, 1886, of voluntary manslaughter, and sentenced to the penitentiary for five years; pardoned September 24, 1886, under satisfactory reasons to the governor that the man killed himself, and not shot by accused, and that potential evidence exists that was not brought before the court. The ball found in the body of deceased fit exactly the pistol found with the body, in the number of grooves and otherwise, and did not come from the pistol of accused. The pistol of the deceased and ball found in his body was not produced before the court. Also, see affidavits to the effect that the deceased's brother-in-law, widow, and other relatives had offered to sign a petition for the pardon of accused on the payment of a certain specified sum of money.

40. Solomon Tucker, Petersburg, convicted November, 1885, of larceny, and sentenced to jail for twelve months; pardoned on the certificate of jail physician that he was "languishing with consumption, and in his present condition apprehended his speedy dissolution"; with a personal appeal from the city sergeant and ex-mayor, who sentenced him.

41. James McDonald, Campbell county, convicted January, 1886, of bigamy, and sentenced to four years and seven months in the penitentiary; pardoned October 27, 1886, upon recommendation of judge, jurors, commonwealth's attorney, and a large number of the most prominent citizens of the county.

42. John Hilton, Montgomery county, convicted September, 1886, of car robbery, and sentenced to one year in the penitentiary; pardoned November 5, 1886, upon the personal appeal from the commonwealth's attorney that there were strong mitigating circumstances, the evidence upon which he was convicted was given by notoriously bad characters.

43. Charles Shaffer, Albemarle county, convicted February, 1883, of grand larceny, and sentenced to the penitentiary for five years.

44. George F. Grant, Pitsylvania county, convicted April, 1884, of murder in the second degree, and sentenced to the penitentiary for eighteen years.

45. Scofield Webster, Albemarle county, convicted January, 1881, of rape, and sentenced to the penitentiary for fifteen years.

46. Henry Scott, Pulaski county, convicted September, 1884, of house-breaking, and sentenced to the penitentiary for six years.

47. Charles Boyd, Smythe county, convicted May, 1884, of house-breaking, and sentenced to the penitentiary for three years.

48. Susan Hairston, Henry county, convicted April, 1880, of house-breaking, and sentenced to the penitentiary for ten years.

The six above-named convicts were all pardoned November 5, 1886, upon the certificate of the surgeon of the penitentiary, and sustained by consulting physicians that all of them are hopelessly diseased, and longer confinement would result in an early death, whereas, if released, in all probability their lives would be prolonged.

49. William Henderson, Wythe county, convicted August, 1885, of robbery, and sentenced to eight years to the penitentiary; pardoned November 13, 1886, upon the recommendation of commonwealth's attorney, being convinced of prisoner's innocence from facts developed since the conviction.

50. Louis Scott, Richmond, Va., convicted February, 1886, of house-burning, and sentenced to the penitentiary for five years; pardoned November 20, 1886, upon the recommendation of the surgeon of the penitentiary that the prisoner was hopelessly diseased with epilepsy, from which death might be *produced* at any time.

51. A. F. Hendricks, Hanover county, convicted November, 1886, of involuntary manslaughter, and sentenced to the penitentiary for twelve months; pardoned November 6, 1886, upon the recommendation of the trial judge, the regular judge, all the jury, mother of the man who was killed, and other citizens, including the county representative.

52. Henry Ball, Lancaster county, convicted August, 1886, of felony, and sentenced to two years in the penitentiary; pardoned upon recommendation of judge, jury, and commonwealth's attorney, owing to strong mitigating circumstances.

53, 54, and 55. Willis Dabney, Oliver Thomas, Alexander McDonnough, Richmond city, convicted November, 1886, of illegal registration, and sentenced to twelve months in jail; pardoned December 21, 1886, upon the recommendation of judge and commonwealth's attorney.

56. David Krance, Franklin county, convicted October, 1886, of forgery, and sentenced to two years in the penitentiary; pardoned January 12, 1887, upon recommendation of judge, jury, and a large number of prominent citizens. The jury testifying that technically, they believe him guilty, but that a shorter term of imprisonment would meet the ends of justice.

57. Isaiah Hawkins, Botetourt county, convicted March, 1886, of felonious assault, and sentenced to eighteen months in the penitentiary; pardoned January 15, 1887, upon recommendation of commonwealth's attorney, Mr. Glascow, and others, on account of very extenuating facts in the case subsequently produced.

58, 59, 60, and 61. David Williams, Petersburg; Doctor Love, Lunenburg county; Jordan Berry, Norfolk; Elzy Middlebrook, Augusta county.

The above-named convicts were pardoned January 17, 1887, upon the recommendation of the surgeon of the penitentiary, with his certificate that they are all hopelessly diseased, and longer confinement would precipitate their approaching end.

62. Obediah Thompson, Carroll county; pardoned on the recommendation of the delegate to the House from that county, county clerk, treasurer, &c.

63. Lucy Smith, Middlesex county, convicted of attempt to murder, and sentenced to six months in jail; pardoned December 1, 1886, upon the recommendation of judge, jury, and all the county officers.

64. J. L. Bidwell, Danville, convicted October, 1886, of felonious shooting, and sentenced to the penitentiary for four years; pardoned February 1, 1887, upon the recommendation of judge, jury, and a large number of citizens, and other officers of the city.

65. Henry C. Miller, convicted March, 1881, of manslaughter, and sentenced to three years in the penitentiary; pardoned February 17, 1887, upon recommendation of judge, jury commonwealth's attorney, sheriff, and prominent citizens, believing that the punishment to be excessive.

66, 67, 68, 69, and 70. George Fentress, Robert Johnston, Anthony Oliver, William H. Porter, and Walker Wilson.

The above-named convicts were pardoned February 23, 1887, on the statement and certificate of the surgeon that they were hopelessly diseased, and says: I respectfully ask that you give these names your earliest attention, as some of them will be too feeble to bear transportation a few days hence. Sallie Medley has died since I had her record written.

71. Albert Lyles, convicted October, 1885, of forgery, and sentenced to two years in the penitentiary; pardoned February 12, 1887, upon recommendation of judge, jury, and commonwealth's attorney that there were strong mitigating circumstances in the case, and the prisoner having served fifteen months of the time, they think it sufficient punishment for the crime.

72. David Johnson, Chesterfield county, convicted December, 1886, of petit larceny, and sentenced to six months in jail; pardoned February 17, 1887, on the recommendation of the jail physician that longer confinement would greatly endanger his health; indeed, irreparably, and was strongly recommended by the judge, commonwealth's attorney, and a large number of the jury.

73. Ned Jackson, Nottoway county, convicted January, 1887, of larceny, and sentenced to one year in the penitentiary; pardoned March 7th, owing to very strong mitigating circumstances which were attested by the commonwealth's attorney and all the jury.

74. John Bradley, convicted March 11, 1887, of petit larceny, and sentenced to thirty days in jail; pardoned March 28, 1887, upon the recommendation of the commonwealth's attorney.

75 and 76. J. C. Wighting and Elsie Snead; pardoned March 1, 1887, upon recommendation of the surgeon of the penitentiary that they were hopelessly diseased, and that longer confinement would result in their prison death.

77. Garland Jackson, convicted October, 1883, of larceny, and sentenced to the penitentiary for four years; pardoned March, 1887, having served the

term prescribed by law, and, in attempting to make his escape, acting under advice of others, had an additional year imposed upon him. His release was recommended by the commonwealth's attorney, judge, and many others.

78. Thomas Nelmes, James City, convicted August, 1883, of burglary, and sentenced to seven years in the penitentiary; pardoned March 21st upon recommendation of the commonwealth's attorney, because, since his conviction, he has entertained grave doubts as to his sanity, and he thinks the defence justifiable in the argument of kleptomania, superinduced by epilepsy.

79. Lincoln Woodfolk, Rockingham county, sentenced July, 1886, to two years in the penitentiary for house-breaking; pardoned upon recommendation of the judge, jury, and commonwealth's attorney, owing to mitigating circumstances, and the court desired to have him as a witness in the case of one who was a party to the crime in the charges preferred against him.

80, 81, 82, 83, and 84. Governor Lee yesterday (March 29th), pardoned the following convicts upon the recommendation of the surgeon of the penitentiary, Dr. J. C. Watson, that they were hopelessly diseased, and could live at best but a short time: Charles Oaks, of Pittsylvania, entered for attempted rape, five years; William Smith, of Gloucester, rape, ten years; Addison Clements, of Franklin county, house-breaking and arson, eight years; Beverley Howard, of Fauquier, arson, five years; Thomas Starkey, of Franklin county, burglary, four years.

85. William R. Smith, Richmond, convicted of felony, and sentenced to the penitentiary for two years; pardoned April 2, 1887, upon recommendation of a commission of doctors specially appointed, together with the surgeon of the penitentiary. All recommended his pardon.

86. William Hobson, Richmond, convicted March, 1887, of house-breaking, and sentenced to the penitentiary for two years; pardoned May 7, 1887, upon recommendation of the commonwealth's attorney, because he plead guilty through ignorance, and it was afterwards discovered that no crime was committed.

87. Marion Pomeroy, Warren county, convicted 1884 of rape, and sentenced to the penitentiary for a term of eighteen years; pardoned May 5, 1887, upon the recommendation of Mr. H. H. Downing (House of Delegates), who prosecuted him, and who certifies that if subsequent facts and reliable information had been produced at the trial, the term of sentence would not have been more than he has now served.

88. Annie Wilson, Norfolk county, convicted November, 1886, of assault and battery, and sentenced to jail for twelve months; pardoned May 6, 1887, upon recommendation of the attorney for the commonwealth, judge, county treasurer, and others, owing to mitigating circumstances, and the surgeon of the jail certifying that she was in very bad health.

89. Anderson Wilson, convicted October, 1878, of murder in the second degree, and sentenced to the penitentiary for eighteen years; pardoned April 29, 1887, upon the recommendation of the circuit judge, who tried him, county treasurer, deputy sheriff, and others.

90. J. M. Hoover, Highland county, convicted July, 1885, of forgery, and sentenced to four years in the penitentiary; pardoned May 21, 1887, under evidence of strong palliating circumstances, and the personal recommendation of the senator and representative from that district and county.

91. William Bever, Louisa county, convicted January, 1880, of murder in the second degree, and sentenced to eighteen years in the penitentiary; pardoned May 21, 1887, upon the recommendation of the surgeon of the penitentiary that his health was such as to justify his removal from prison.

92. James Porter, convicted January, 1887, of petit larceny, upon two indictments, for ten months in jail; pardoned May 21, 1887, upon recommendation of the commonwealth's attorney and others; all of whom earnestly solicit executive clemency.

93. John Mauk, Warren county, convicted April, 1883, of murder in the second degree, and sentenced to seven years in the penitentiary; pardoned May 24, 1887, upon recommendation of senator (member of House of Delegates) and officers of the county court.

94. J. B. Garnett, Caroline county, convicted in 1886 of forgery, and sentenced to three years in the penitentiary; pardoned May 24, 1887, upon recommendation of member of House of Delegates, sheriff of the county, and a large number of citizens.

95. Lou Booker, Buckingham county, convicted February, 1887, of petit larceny, and sentenced to five months in the penitentiary; pardoned May 27, 1887, upon recommendation of the commonwealth's attorney, judge, county treasurer, sheriff, and others, owing to strong mitigating circumstances.

96. Benjamin F. Turman, Floyd county, convicted in 1885, of felony, and sentenced to two years in the penitentiary, and one year additional for attempting to escape; pardoned June 4, 1887, upon the recommendation of the judge, commonwealth's attorney, clerk of the court, and others.

97. W. K. Whitlaw, Lynchburg, convicted July 8, 1887, of forgery, and sentenced to two years in the penitentiary; pardoned July 8, 1887, of forgery and sentenced to the penitentiary for two years; pardoned July 14, 1887, upon the recommendation of most of the jury and some of the best citizens of the county.

98. Samuel W. Mulligan, Albemarle county, convicted *March, 1885, of* house-burning, and sentenced to the penitentiary for eight *years; pardoned* July 15, 1887, upon recommendation of the surgeon of the penitentiary, who certified that the convict is hopelessly ill, and cannot live more than ten days, even though he be pardoned.

99. D. E. Rosenbaum, Bedford county, convicted for selling liquors without a license, and sentenced to twelve months in jail and fined $125 and costs; pardoned August 4th (except fine and costs) upon the solicitations of the jury, commonwealth's attorney, judge, and county officers, and many citizens.

100. John Hampton, Pittsylvania county, convicted March 25, 1882, of forgery, and sentenced to state prison for ten years; pardoned August 9, 1887, upon certificate of the surgeon of the penitentiary that "he is passed all hope of recovery, and cannot live much longer under prison confinement."

101. Lemuel Quarles, Warwick county, was received at the penitentiary April 11, 1886, to serve seven years' imprisonment for highway robbery; pardoned August 9, 1887, upon the surgeon's certificate that he is hopelessly diseased, and will, in all probability, live but a short time.

102. William Clements, Pittsylvania county, convicted June, 1887, of larceny, and sentenced to ninety days in jail; pardoned August 12, 1887, upon the recommendation of the jail physician and the attorney for the commonwealth, the magistrate who tried him, and others, that he is of unsound mind, and longer confinement would so impair his health as to render recovery doubtful.

103. Edward Jeffries, Cumberland county, convicted of felony, and sentenced to sixty days in jail; pardoned August 12, 1887, upon the recommendation of all of the jury and the commonwealth's attorney.

104. William Briggs, Culpeper county, convicted December, 1886, of manslaughter, and sentenced to eighteen years in the penitentiary; pardoned August 15, 1887. The surgeon of the penitentiary certifying that he is suffering from consumption, and is confined to the hospital all the time, and will soon die unless released.

105. William Booker, Prince Edward county, convicted June, 1886, of rape, and sentenced to ten years in the penitentiary; pardoned August 12, 1887, by request of the judge, jury, prosecuting attorney, and others, upon the ground that the prisoner was not guilty of the crime charged by the statement of the woman in their presence.

106. Isaac Lee Blankenship, Montgomery county, convicted December, 1886, of assault with intent to kill, and sentenced to the penitentiary for five years; pardoned August 18, 1887, owing to strong mitigating circumstances and very urgent appeals from citizens for clemency, believing the sentence too severe for the offence; also certificate from the surgeon of the penitentiary that his health is being seriously impaired by confinement. The petition was also recommended by the prosecuting attorney.

107 and 108. Julia Lawrence, Nelson county, convicted February, 1886, of arson, and sentenced to the penitentiary for two years; William Day, Pittsylvania county, convicted April, 1885, of grand larceny, and sentenced to the penitentiary for five years; pardoned August 26, 1887, on the recommendation of the surgeon of the penitentiary that both are hopelessly ill of consumption, rapidly declining, and in a few weeks will be too feeble to bear transportation.

109. May Collin, Greene county, convicted April, 1887, of assault, and sentenced to six months in jail and fined $30; pardoned September 5, 1887, upon the certificate of the jail physician that "symptoms of typhoid fever are rapidly developing," and recommends that he be released at once and sent

home, where he may have proper and necessary attention, or fatal consequences would, in all probability, follow. The petition was signed by all the officers of the court.

110. Shadrack Carter, Augusta county, convicted March, 1886, of housebreaking, and sentenced to five years in the penitentiary; pardoned upon recommendation of the surgeon of the penitentiary that the prisoner is hopelessly ill.

111. Wesley Williams, Elizabeth City county, convicted March 3, 1887, of larceny, and sentenced to six months in jail; pardoned September 10th upon recommendation of the judge, jury, attorney for the commonwealth, and many prominent citizens, because of an invalid wife and very dependent family.

112. Charles R. Shackleford, Albemarle county, convicted March, 1885, of grand larceny, and sentenced to five years in the penitentiary; pardoned September 29, 1887, upon recommendation of the judge, jury, attorney for the commonwealth, and prominent citizens, on account of his youth, and as he was only an accessory to the crime, the principal having been pardoned upon the recommendation of the surgeon of the penitentiary on account of ill health.

113. Walter Williams, Manchester, convicted April, 1886, of seduction, and sentenced to the penitentiary for six years; pardoned October 4, 1887, on a statement of the woman made to the governor that others had had criminal intimacy with her before, and, therefore, it was no case of seduction; also, on the certificate of the chief of police that she told him, just after the trial, that he was not guilty, and a letter found in her possession from her cousin, showing previous intimacy with her—which letter she admitted to the governor to have received from him, and had been carnally intimate with him.

114. Rufus Martin, Washington county, convicted January, 1887, of forgery, and sentenced to two years to the penitentiary; pardoned October 5, 1887, upon the recommendation of the surgeon of the penitentiary that his health was such as to admit of no longer confinement.

115 and 116. Elijah Davis and James Godsey, convicted April, 1886, of felony, and sentenced to the penitentiary for three years; pardoned October 11, 1887, on the recommendation of the judge, owing to palliating circumstances, and endorsed by the commonwealth's attorney, jury, and most of the municipal officers, as well as a petition from a large number of prominent and influential citizens.

117. Amos Joyner, Southampton county, convicted in 1876 of arson, and sentenced to ten years in the penitentiary; pardoned October 17, 1887, upon the certificate from the commonwealth's attorney that subsequent to his conviction facts have come to the attention of officers of the county and citizens of some very mitigating facts, viz: that Joyner was convicted on very questionable testimony—that of a negro detective whose remuneration depended upon a conviction of some one.

118. Jack Jarland, Buckingham county, convicted July, 1887, of perjury, and sentenced to twelve months in jail; pardoned October 18, 1887, owing to

mitigating facts as presented in a petition endorsed by the judge, jury, attorney for the commonwealth, clerk of circuit court, and others.

119. Tyler Hancock, Franklin county, convicted August 16, 1886, of house-breaking, and sentenced to two years in the penitentiary; pardoned November, 1887, on recommendation of county judge, attorney for the commonwealth, and the man whose house was broken open, and because of previous good character, and that he has already been in jail and penitentiary eighteen months.

120. John A. Fields, Russell county, convicted November 19, 1887, of unlawful cutting, and sentenced to the penitentiary for twelve months; pardoned November 19, 1887, on petition of the entire jury, judge, commonwealth's attorney, and every other officer of the court.

121. Roland Reed, Frederick county, convicted in 1886 of murder in the second degree, and sentenced to nine years in the penitentiary.

122. Ambrose Lyle, Smythe county, convicted in 1887 of house-breaking, and sentenced to the penitentiary.

Both pardoned November 30, 1887, upon the certificate of the surgeon of the penitentiary that these subjects were hopelessly ill of scrofulous and pulmonary diseases.

123. Alexander Craft, Pittsylvania county, convicted October, 1885, of forgery, and sentenced to the penitentiary for three years; pardoned December 5, 1887, on the recommendation of the surgeon of the penitentiary that the subject was hopelessly insane from continued epileptic attacks.

124. Sarah Robinson, Fauquier county, convicted August, 1872, of murder in the second degree, and sentenced to eighteen years in the penitentiary.

125. Dodson Jeffries, Halifax county, convicted March, 1887, of rape, and sentenced to ten years in the penitentiary.

Both pardoned upon recommendation of the surgeon of the penitentiary that they were hopelessly diseased, and longer confinement would but hasten their approaching death.

126. Thomas Lewis, Portsmouth, convicted 18th of November, 1887, of petit larceny, and sentenced to jail for three months by the mayor; pardoned November 26, 1887, upon recommendation of the mayor, jail physician, commonwealth's attorney, and others, especially on physician's certificate as to the bad condition of the boy's health.

127. Zachary Taylor Heal, Lynchburg, convicted March, 1876, of grand larceny, and sentenced to the penitentiary for six years; escaped May, 1878, and since then has been leading a quiet and respectable life in New Mexico; pardoned December 23, 1887, upon application of prominent persons there, including the United States district attorney. This state has made no effort to have him returned to serve the balance of his term, and was, therefore, considered but right by the executive that the man should be restored to that feeling of freedom which his present upright and useful life seems to entitle him to.

128. William F. Lindsay, Campbell, convicted October, 1886, of murder in the second degree, and sentenced to the penitentiary for ten years; pardoned December 31, 1887, upon recommendation of the circuit judge, who tried the case, commonwealth's attorney, many prominent lawyers, state senator, some of the jury, and citizens.

129. John D. Pitts, Norfolk county, convicted October 14, 1885, of manslaughter, and sentenced to the penitentiary for five years; commuted December 29, 1887, to two years and six months. Pitts was in jail one year and four months and twenty-seven days pending his trial. The exercise of executive clemency was under very urgent consideration for twelve months, and it was only after obtaining all the facts in the case, and with a thorough conviction that from the evidence and circumstances there were mitigating facts which did not appear in the criminal trial, and the petition was highly endorsed by lawyers, prominent citizens, &c.

130. John H. Fisher, Accomac county, convicted March, 1886, of ———, and sentenced to the penitentiary for —— ———; pardoned April 2, 1887, upon recommendation of the county judge on the ground that additional evidence has been discovered since, mitigating the circumstances in his case, which, known at the time, would have resulted in his acquittal, and on the petition of the jury and prominent citizens.

131. Fannie Blackburn, Alexandria, convicted April, 1887, of felony, and sentenced to one year in jail; pardoned June 29, 1887, on the petition of the judge and jail physician, and others, that the woman was in bad health, and the case one worthy of executive clemency.

132. William Jenkins, Wythe county, convicted August, 1885, of robbery, and sentenced to eight years in the penitentiary; pardoned upon the recommendation of the commonwealth's attorney, he being convinced of prisoner's innocence from facts developed since the conviction.

133. George H. Farmer, Caroline county, convicted in 1885 of house breaking and larceny, and sentenced to three years in the penitentiary; pardoned February 24, 1887, on petition of eleven of the jurors, Judge Moncure, who was then attorney for the commonwealth, and many citizens.

134. John Stephen, Henry county, convicted June, 1879, of rape, and sentenced to twenty years in the penitentiary; pardoned upon recommendation of the judge, jury, commonwealth's attorney, and the delegate *from the* county.

135. Thomas Brown, Staunton, convicted April, 1886, of felonious assault, and sentenced to the penitentiary for one year, and five years additional for second conviction; pardoned at the expiration of one year on the recommendation of the attorney for the commonwealth, jury, judge, &c.

136. Able Williams, Warwick county, convicted of murder December 4, 1867, and sentenced to the penitentiary for life; commuted to twenty-one years upon the recommendation of the commonwealth's attorney at the

time (Colonel Tabb) because he was an accomplice in the crime, and has been a good prisoner during twenty years of his incarceration. The principal to the crime was hung.

137. J. S. McDonald, Richmond, convicted April, 1887, of felony, and sentenced to jail for thirty days; pardoned June 1, 1887, on the recommendation of Judge Richardson, who sentenced him, and others.

COMMUTATIONS.

1. Thornton Meredith, Richmond, convicted January, 1886, of perjury, and sentenced to one year in the city jail; commuted to six months in jail upon the recommendation of the attorney for the commonwealth and jury for the previous good charter of the prisoner and ignorance of the responsibility of an oath.

2 and 3. William Harrison and Arthur Harrison, Henrico county, convicted January, 1885, of house-breaking, and sentenced to five years in state prison; commuted to eighteen months in jail on account of their youth, and recommendation of the judge, commonwealth's attorney, and others, believing that the ends of justice would thereby be accomplished.

4. Albert S. Harvey, Richmond, convicted November, 1885, of forgery, and sentenced to one year in the penitentiary; commuted to six months in jail February 17, 1886; recommended by the judge, jury, commonwealth's attorney, and others, connected with the case, on account of the extreme youth of the prisoner.

5. Mary Cooke, Gloucester county, convicted March 3, 1885, of bigamy, and sentenced to three years in the penitentiary; commuted February 23, 1886, to one year in the penitentiary, satisfactory proof being presented that her guilt was only technical, and highly recommended by the judge, jury, and commonwealth's attorney.

6. Tennessee Fugate, Lee county, convicted July, 1881, of rape, and sentenced to ten years' imprisonment in the state prison; commuted February 24, 1886, to five years, from satisfactory evidence that the person upon whom the crime was alleged to have been committed, was of very doubtful chaste character, and on the ground that the commutation would be full expiation for the crime.

7. H. Stewart Whitehurst, Norfolk, convicted February 5, 1886, for keeping a keno table, and sentenced to two months in jail and fined one hundred dollars; commuted February 26, 1886, to one month in jail and fine of one hundred dollars, because the prisoner could not obtain all the evidence which would mitigate the charge, and upon the recommendation of the jury and others.

8 Henry Matthews, Hanover county, convicted April, 1883, of rape, and sentenced to ten years in the penitentiary; commuted to three years in view of the peculiar circumstances surrounding the case. The commutation was recommended by the judge, jury, and commonwealth's attorney—the sentence of the jury being the lowest term allowed by law.

9. Julia Guy, convicted January, 1881, of burglary, and sentenced to nine years in the penitentiary; commuted to seven years. She having plead guilty, was sentenced to nine years, and her accomplice was sentenced to seven years, who was the worst of the two.

10 and 11. Nathaniel Long and George B. Finney, convicted December 5, 1885, of assault and battery, and sentenced to six months in jail; commuted to three months in jail March 9, 1886; recommended by the party upon whom the assault was made and numerous other citizens.

12. Richard Brown, convicted March, 1886, of burglary, and sentenced to five years in the penitentiary; commuted March 8, 1886, to nine months in the city jail; highly recommended by the judge, jury, and attorney for the commonwealth.

13. Chester Hughes, convicted April, 1875, of murder, and sentenced to eighteen years in the penitentiary; commuted to twelve years and six months March 5, 1886. He having served more than half of the sentenced with good conduct, and upon the certificate of prominent citizens that the killing was more accidental than intentional, while under the inflence of strong drink.

14. Lewis Quarles, convicted October, 1885, of unlawful shooting, and sententenced to twelve months in jail; commuted May 6, 1886, to eight months in jail, upon the request of the judge, commonwealth's attorney, and others, that the term he had served was full expiation of the crime.

15. James Brown, convicted March, 1886, of malicious assault, and sentenced to one year in the penitentiary; commuted to three months May 1, 1886, upon strong mitigating circumstances and good recommendations.

16. J. L. Root, convicted May 1, 1886, of assault and battery, and sentenced to twenty days in jail; commuted May 13, 1886, to five days in jail, upon testimony that the assault was committed in the protection of his family from insults.

17. Jefferson Brokenbrough, convicted October, 1871, of arson, and sentenced to be hung, afterwards commuted to imprisonment for life by Governor Walker; commuted May 18, 1886, to seventeen years in the penitentiary upon the testimony of the commonwealth's attorney and reliable citizens that the prisoner was convicted on questionable testimony, as subsequent facts proved.

18 and 19. Rose Semmes and Mary Semmes, convicted of larceny, and sentenced to two years in the penitentiary; commuted to six months in the county jail May 19, 1886, satisfactory evidence being given that they were convicted upon illegal testimony.

20. John Wakefield, convicted May 3, 1886, of larceny, and sentenced to six months in jail; commuted to one month in jail, upon a very strong paper from the mayor and others that the prisoner having prior to the offence borne a good character, and was discharged from the army as insane.

21. Walter Sumpter, convicted December, 1882, of robbery, and sentenced

to eight years in the penitentiary; June 1, 1886, commuted to four years by request of the attorney for the commonwealth and certificate of the surgeon of the penitentiary that the prisoner is in very bad health, and longer confinement would imperil his life.

22. Grant English, convicted January 15, 1886, of petit larceny, and sentenced to six months in jail; commuted June 19, 1886, to five months, upon recommendation of the clerk of the county court, sheriff, and others; also a letter from the jail physician that confinement was very seriously impairing the health of the prisoner, and if not released at once would permanently effect his health, and, in all probability, hasten his death.

No. 23. L. R. Newman, convicted April 21, 1886, of perjury, and sentenced to one year in jail; commuted July 7, 1886, to seven months in jail upon recommendation of the attorney for the commonwealth, owing to the dependency of his family, also, believing that the perjury was committed in a confusion of mind, which goes far to negative all unlawful intent.

No. 24. Robert Campbell, Middlesex county, convicted May, 1885, of rape, and sentenced to five years in the penitentiary; commuted July 8, 1886, to fifteen months in the penitentiary upon the ground that the evidence did not sustain the charge of rape, only attempt to commit rape; certified to by the judge, jury, commonwealth attorney and all the county officers.

No. 25. John Harman, convicted July, 1886, of felonious assault, and sentenced to one year in the penitentiary; commuted July 23, 1886, to six months in the penitentiary because of insufficiency of evidence to show felonious intent, on the contrary, evidence tending to show self-defence.

No. 26. Hugh Sykes, Petersburg, convicted July, 1878, of murder in the second degree, and sentenced to eighteen years in the penitentiary; commuted July 24, 1886, to nine years in the penitentiary upon the request of the commonwealth's attorney, a long list of prominent citizens, and the certificate of the surgeon of the penitentiary that the prisoner is suffering from a constitutional disease from which he can never recover, and longer confinement would but tend to hasten his death.

No. 27. Horace Bennett, Warren county, convicted December, 1881, of horse-stealing, and sentenced to eight years in the penitentiary; commuted July 24, 1886, to five years in the penitentiary upon recommendation of the judge, commonwealth's attorney, and surgeon of the penitentiary that the health of the prisoner is bad, and longer confinement would impair it to that extent that recovery would be highly improbable.

No. 28. Al. Cole, Amherst county, convicted June, 1886, of assault, and sentenced to three years in state prison; commuted to six months in the county jail July 29, 1886, upon the recommendation of judge, jury, commonwealth's attorney, and many reputable citizens, the evidence being insufficient to justifiy the severity of the verdict.

No. 29. Arthur Ferguson, Richmond city, convicted, 1886, of felonious assault, and sentenced to one year in the penitentiary; commuted August 2,

1886, to jail to serve balance of term as recommended by the judge, commonwealth's attorney, and others that commutation would answer the demands of justice.

30. J. T. Jackson, Page county, convicted July, 1886, of illicitly selling liquor, and sentenced to jail for six months and fined $100; commuted October 5th to two months in jail and fine of $100 as recommended by the judge, commonwealth's attorney, sheriff, and other prominent citizens of the county.

31. Thomas Cordrey, Manchester, convicted October 2, 1886, of unlawful cutting, and sentenced to one year in the penitentiary; commuted October 5th to one year in jail, upon the recommendation of the judge, attorney for the commonwealth, and others.

32. George Edmondson, Lee county, convicted August, 1881, of rape, and sentenced to the penitentiary for eleven years; commuted October 9, 1886, to six years in the penitentiary, by request of the judge, commonwealth's attorney, and others, setting forth the fact of excessive punishment, he being *particeps criminis* with two others, whose term of sentence was ten years, and both of whom have since been pardoned.

33. Frank Jackson, Greene county, convicted April, 1885, of horse-stealing, and sentenced to the penitentiary for three years; commuted to one year and six months, upon request of the judge, jury, and others, on account of mitigating circumstances.

34. C. S. Cooper, Richmond city, convicted March, 1885, of forgery, and sentenced to two years in the penitentiary; commuted October 26, 1886, to one year and ten months in the penitentiary, upon recommendation of the commonwealth's attorney and the surgeon of the state prison, who certifies that he has been a very efficient hospital steward, and that his health is now giving away. The petition was endorsed by the jury who convicted him.

35. H. Barton Smith, Danville, convicted of malicious shooting, and sentenced to seven years in the penitentiary; commuted to six years and five months on petition of the woman who was shot, on account of her absence at the time of the trial as a witness, and recommended by the judge and commonwealth's attorney.

36. Joseph R. Sands, convicted March 11, 1886, of perjury, and sentenced to twelve months in jail; commuted to four months upon recommendation of the jury. Had the law allowed it, under the circumstances, they would not have sentenced him for a longer period than sixty days, and the certificate of the jail physician that the prisoner's health is giving away from confinement.

37. Washington Williams, Amelia county, convicted October, 1874, of attempted rate, and sentenced to seventeen years in the penitentiary; commuted to thirteen years and six months, upon recommendation of ten of the jury, member of the House of Delegates and senator, and upon satisfactory evidence that the boy (a mere youth) made no attempt at rape—was only guilty of indecent exposure of person.

38. James Turner, Roanoke county, convicted July, 1885, of house-breaking and larceny, and sentenced to two years in the penitentiary; commuted to one year, upon the solicitation of the judge, jury, and commonwealth's attorney, as he would be an important witness in a murder case.

39. Susan Oglesby, Charles City county, convicted of petit larceny, and sentenced to three months in jail; commuted August 16, 1886, to two months in jail, upon recommendation of the judge, sheriff, and jailor, the woman having given birth in jail, and longer confinement under the circumstances would endanger the life of both mother and child.

40. James Holmes, Nelson county, convicted in 1873 of rape, and sentenced to fifteen years in the penitentiary; commuted September 22, 1886, to twelve years in the penitentiary, on the ground that the affidavit showed that he was under the age of thirteen at the time the offence was committed, and, therefore, could not be convicted of rape without indubitable proof that he had reached the age of puberty; recommended by the judge, jury, and mother of the girl upon whom the offence was committed.

41 Robert English, Franklin county, convicted March, 1879, of murder in the second degree, and sentenced to fifteen years in the penitentiary; commuted October 29, 1886, to eight years in the penitentiary; executive clemency strongly urged by the judge, jury, commonwealth's attorney, and others owing to strong mitigating circumstances.

42. James Batton, Princes Anne county, convicted June, 1875, of murder, and sentenced to eighteen years in the penitentiary; commuted to twelve years in the penitentiary upon recommendation of entire jury that are living, all the officers of the court, wife of party killed, and because the brother of the prisoner was pardoned about three years ago, who was convicted upon the same charge; the petition was also signed by many prominent citizens, including the member of the legislature, who was the surgeon in the post mortem and was thoroughly informed as to the circumstances.

43. Ernest B. Nesslage, Richmond city, convicted October 6, 1886, of involuntary manslaughter, and sentenced to ninty days in jail and fined $100; commuted to forty-five days in jail and fine of $100 upon recommendation of reputable citizens that his conduct has always been good heretofore, and other mitigating circumstances.

44. John Jackson, Richmond, convicted July 21, 1886, of petit larceny, and sentenced to six months in the city jail, and was subsequently assaulting a woman through the jail door with a stone, and sentenced to jail for this second offence for three months and fined $10 and costs; commuted November 18, 1886, to four months in jail and fine of $10 and costs upon the recommendation of the police justice who convicted him and the surgeon of the jail, who certifies that the prisoner is suffering with incipient consumption; the petition was presented by the woman whom the prisoner assaulted and urged his pardon.

45. Alexander Farmer, Richmond, convicted September 29, 1886, of assault and battery, and sentenced to three months in jail; commuted to two

months in jail November 20, 1886, by request of the officers of the court and prominent citizens because of the suffering condition of his wife and child who are wholly dependent on him.

46. John W. Sprouse, Albemarle county, convicted August, 1885, of Forgery, and sentenced to two years in the penitentiary; commuted November 26, 1886, to one year in the penitentiary upon recommendation of the judge, jury and many prominent citizens on account of mitigating circumstances, and the fact that he had served nearly twelve months in jail pending his trial.

47. George Ford, Montgomery county, convicted June, 1886, of receiving stolen goods, and sentenced to six months in jail; commuted to five months upon the recommendation of the judge, attorney for the commonwealth, sergeant, jailer, and others.

48. Wm. J. Fontaine, Buckingham county, convicted April 25, 1886, of voluntary manslaughter, and sentenced to five years in the penitentiary; commuted to four years and two months upon recommendation of the judge, jury and commonwealth's attorney, and prominent citizens, setting forth the strong probability of accidental shooting.

49. Sarah Lane, Winchester, convicted September, 1886, of petit larceny, and sentenced to the penitentiary for twelve months; commuted to jail until February 3, 1887, upon recommendation of the judge, some of the jury, commonwealth's attorney, and others, believing that the punishment was too severe for the crime and mitigating circumstances.

50 and 51. Charles Armstrong and Wells Hawkins, Richmond city, convicted March, 1886, of robbery, and sentenced to twelve months in jail; commuted to eight months and two weeks in jail upon recommendation of the judge, jury and commonwealth's attorney, the prisoners having been confined in jail three months before conviction, and some mitigating circumstances.

52. Thomas Cordrey, Manchester, convicted October 22, 1886, of unlawful cutting, and sentenced to one year in the penitentiary; commuted October 5th to jail for one year; January 17, 1887, was further commuted to six months in jail upon the recommendation of the judge and some of the jury, and other citizens, believing that the ends of justice would be met and would relieve his dependent and suffering family.

53. H. G. Stokes, Portsmouth, convicted September, 1886, of larceny, and sentenced to six months in jail; commuted February, 1887, to five months upon certificate of surgeon of the jail that further confinement would result in death or hopeless insanity, signed by the judge, commonwealth's attorney, jury, clerk of the court, and others.

54. Wm. H. Robinson, convicted January, 1878, of burglary, and sentenced to the penitentiary for ten years, with five years additional for second conviction; commuted March, 1887, to eleven years upon recommendation of the judge, commonwealth's attorney and others.

55. J. W. Fox, convicted March, 1878, of murder in the second degree, and sentenced to eleven years in the penitentiary; commuted March 19, 1887, to eight years in the penitentiary, as recommended by Mr. Fitzpatrick and others, upon the ground that he was convicted on the evidence of a white woman of very questionable morals, having since had a negro child.

56. Howard Scott, convicted September, 1886, of felony, and sentenced to two years in the penitentiary; commuted March 24, 1887, to six months in the penitentiary; recommended by the judge, jury, commonwealth's attorney, and others, owing to strong mitigating circumstances.

57. Joe Panly, Wythe county, convicted September, 1886, of manslaughter, and sentenced to eight years in the penitentiary, with one year added by the circuit court of Richmond for attempt to escape; commuted April 5, 1887, upon petition of General James A. Walker, with affidavits of others, that the prisoner was shooting at some negroes and accidentally killed a white man, with whom he had no quarrel. The pardon was recommended by the commonwealth's attorney and other officers of the court who tried him.

58. John Rollins, Alexandria, Va., convicted in 1872 of murder in the second degree, and sentenced to eighteen years in the penitentiary; commuted to seventeen years in the penitentiary, upon recommendation of counsel and prominent citizens, believing that the ends of justice had been met.

59. George P. Anderson, convicted October, 1876, of rape, and sentenced to fourteen years in the penitentiary; commuted to twelve years, upon recommendation of the judge, part of jury, commonwealth's attorney, sheriff, clerk of the court, and others. The mitigating circumstances in this case were very strong.

60. William Britton, Richmond city, convicted November, 1886, of unlawful shooting, and sentenced to twelve months in jail; commuted to six months, on the recommendation of S. B. Witt, attorney for the commonwealth, and his family physician, owing to mitigating circumstances and very bad health.

61. Betsey Monday, Grayson county, convicted May, 1885, of felony, and sentenced to the penitentiary for five years; commuted to two years, upon recommendation of the surgeon of the prison, commonwealth's attorney, ex-member of the House of Delegates, and others, owing to mitigating facts and bad health.

62. Albert Smith, convicted November, 1886, of seduction, and sentenced to two years in the penitentiary; commuted April 18th to six months in the penitentiary, as recommended by the ex-judge, jury, commonwealth's attorney, and others, because the prisoner did not have the benefit of some facts at the trial which would have mitigated the charge.

63. H. T. Day, Wise county, convicted February, 1885, of burglary, and sentenced to the penitentiary for five years; commuted April 7, 1887, to two years and two months, on the recommendation and petition of the judge, jury, prosecuting attorney, sheriff, postmaster, and other prominent citizens; presented and urged by Judge Richmond, of Scott county.

64. Lucy Smith, Middlesex county, convicted of attempt to commit murder, and sentenced to six months in jail; commuted to three months in jail by request of county officials.

65. Patrick Fitzgerald, Pittsylvania county, convicted March, 1887, of larceny, and sentenced to one year in the penitentiary; commuted to five months, on the recommendation of the judge, jury, and commonwealth's attorney, owing to mitigating circumstances.

66. James O'Conner, Richmond, convicted October 15, 1887, of felony, and sentenced to five years in the penitentiary; commuted to eight months, as recommended by the commonwealth's attorney, owing to mitigating facts, he being evidently the dupe of another man; no theft intended, no money lost—the money was returned before his arrest.

67. Wm. Weathersley, Richmond, Va., convicted July 14, 1887, of felonious assault, and sentenced to six months in jail; commuted August 17, 1887, to one month in jail upon recommendation of the commonwealths attorney.

68. Henry Drummond, Petersburg, convicted July 22, 1887, of assault, and sentenced to sixty days in jail; commuted to thirty days upon request of attorney for the commonwealth, city sergeant and certificate of jail physician that his health has been much impaired by confinement, and if not discharged will endanger his life.

69. Peter Slaughter, Culpeper county, convicted July, 1887, of murder in the first degree, and sentenced to be hung; commuted to eighteen years in the penitentiary as recommended by the judge, all of the jury (except one), prosecuting attorney, and others, all of whom agree that death punishment was too severe, as the murder was committed in the presence of others and being an idiot, was induced to commit the deed under the impression that he was protecting his wife from illicit intercourse from the victim.

70. Granville White, Portsmouth, convicted January, 1887, of petit larceny, and sentenced to six months in jail; commuted to four months, upon certificate of jail physician owing to a complication of diseases from which death must ensue if longer confined, and the endorsement of the mayor who sentenced him.

71. Jefferson Thomas, Richmond, convicted of petit larceny February 23, 1886, and sentenced to four months in jail, subsequently sentenced to six months in jail; was commuted to six months on the ground that the culprit had served more time in jail than the term of sentence fixed by law.

72. Wm. B. Wright, Richmond, convicted March 14, 1887, of misdemeanor, and sentenced to eight months in jail; commuted July 13th to five months, upon recommendation of judge, commonwealth's attorney, and others.

73. C. E. Hayden, Nottoway county, convicted of burglary, and sentenced to the penitentiary for five years; commuted July 21st to two years and six months, upon a petition of citizens, including the man who was robbed, attorney for the commonwealth, judge, sheriff, a number of the jury, and clerk of the court.

74. Isaac Lee Blankenship, Montgomery county, convicted December, 1886, of assault with intent to kill, and sentenced to five years in the penitentiary; commuted to one year in the penitentiary; executive clemency being urged by the prosecuting attorney and many prominent citizens, believing that the sentenced was too severe, and a certificate from the surgeon of the penitentiary that his health is being impaired by confinement.

75. Lewis Kidd, Manchester, convicted of unlawful shooting, and sentenced to twelve months in the penitentiary; commuted to twelve months in jail, upon recommendation of the judge and others.

76. S. P. Woodson, Richmond, convicted February, 1887, of forgery, and sentenced to the penitentiary for two years; commuted to one month in jail on recommendation of the judge, commonwealth's attorney and proprietor of the exchange hotel, the latter being the person upon whom the draft was forged.

77. Margaret Fogus, Lynchburg, convicted July, 1881, of felony on two indictments, and sentenced to the penitentiary for eight years; commuted September 22, 1887, to seven years, upon the petition of prominent citizens, those of the jury who are living and the gentleman who was robbed and an attempt to poison him, all writing in the belief that the ends of justice have been met.

78. Thomas Herus, Prince William, convicted of felony, and sentenced to the penitentiary for eight years; commuted September 25, 1887, to four years on the application of the judge, jury, commonwealth's attorney, and others, owing to mitigating facts.

79. Luther Garrison, Fairfax, convicted September, 1887, of grand larceny, and sentenced to one year in the penitentiary; commuted to forty five days in jail, owing to his youth and the mitigating facts as presented in the petition and endorsed by the judge, jury, and citizens.

80. Nelson Harris, Richmond, Va., convicted in 1886 of larceny, and sentenced to jail for twelve months and fined $50; commuted to ten months in jail and fine of $50, upon recommendation of the commonwealth's attorney and others, he having (now September, 1887,) served the full term in jail for the time prescribed by law.

81. Lewis P. Kidd, Manchester, convicted March, 1887, of seducton and sentenced to the penitentiary for one year; was commuted to jail. September, 1887, was commuted to seven months in jail, upon recommendation of the surgeon of the jail that his health was bad, and longer confinement would, in all probability, seriously impair it for life.

82. Andrew Spotswood, Richmond, convicted July, 1887, of burglary, and sentenced to the penitentiary for five years; commuted to three months in the city jail on recommendation of the attorney for the commonwealth, jury, and others—they recommended six months.

83. Armistead Whitehead, Charlotte, convicted in 1886 of horse stealing, together with subsequent convictions, aggregating a term of sentence to the

penitentiary for thirty-eight years; commuted October 22, 1887, to twenty-one years, upon an application endorsed by a large number of the most prominent citizens of this city, and it appearing to the executive that the term of commutation will be sufficient expiation of the crime for which he was convicted.

84. Prentis Belcher, Scott county, convicted November 18, 1885, of murder and sentenced to the penitentiary for five years; commuted November 12, 1887, to two years in the penitentiary, on the recommendation of the jury, circuit judge, county officers, and a large number of citizens, owing to some mitigating facts.

85. Marion Reese, Mecklenburg county, convicted October 29, 1887, of selling liquor without a license, and sentenced to jail for twenty days and fined $100; commuted November 12th to fifteen da s in jail and fine $100, upon a recommendation from the trial judge and jail physician that his health was in such condition that longer confinement would endanger his life.

86. Amos Tyler, Surry county, convicted in 1880 of murder, and sentenced to the penitentiary for fifteen years; commuted October 11, 1887, to eight years in the penitentiary, on the application of reliable citizens that another party—George Warde—was the real murderer, and so confessed before he died. It was on his testimony that Tyler was convicted; he being set free by turning informer; also on the petition of nearly all of the jury, commonwealth's attorney at the time, and all the other officers of the county.

87. James S. Nook, Accomac, convicted December 1, 1887, of violating local option law, and sentenced to jail for thirty day; commuted December 12th to thirteen days in jail, upon recommendation of the judge, jail physician, and the other officers of the county court.

88. John L. Wright, Fredericksburg, convicted December 9, 1887 of horse stealing, and sentenced to the penitentiary for three years; commuted to four months in jail, upon recommendation of the commonwealth's attorney and jury, owing to the extreme youth of the offender.

89. Langdon Lewis, Prince William, convicted September, 1879, of horse stealing, and sentenced to ten years in the penitentiary and five years added for second conviction; commuted December 14, 1887, to ten years in the penitentiary, on the recommendation of the judge, commonwealth's attorney, and some of the jury.

90. Wm. Akers, Montgomery county, convicted January, 1887, of felony, and sentenced to the penitentiary for two years; commuted December, 1887, to one year in the penitentiary, upon recommendation of the judge, commonwealth's attorney, jury and others, owing to mitigating circumstances.

91. Daniel T. Hall, convicted November 17, 1887, of manslaughter, and sentenced to the penitentiary for five years; commuted December 22, 1887, to five years in jail, upon the solicitation of the commonwealth's attorney and many prominent citizens, and the recommendation of the judge.

92. Sheltz Harvey, Pulaski county, convicted February, 1887, of unlawful cutting, and sentenced to the penitentiary for two years; sentenced commuted December 20, 1887, to ten months in the penitentiary, upon recommendation of the prosecuting attorney and jury.

RESPITES.

1. Thomas J. Cluverius, Richmond, convicted, 1885, of murder in the first degree by the hustings court of Richmond and sustained by the court of appeals, and was sentenced to be hung December 10, 1886; respited thirty-five days, as the case was not finally decided under an appeal for executive clemency, within but a few days fixed by the court for the execution, in consequence of all the facts not having been pesented, and upon an appeal from his spiritual advisor.

2. Holmes R. Puryear, Prince George county, convicted of murder in the first degree; sentenced May 5, 1887, to be hung July 15, 1887. Respited until August 12, 1887.

3. William Finchum, Rockingham county, convicted of murder in the first degree, and sentenced to be hung December 16, 1887; respited until December 30, 1887.

INDEX TO HOUSE DOCUMENTS.

CLAIM.

Report of John A. Parker, agent for the State of Virginia, for the collection of the, of Virginia *vs.* the United States, for advancements made for the war 1812. Doc. No. 3.

DISABLED SOLDIERS.

Communication from the auditor of public accounts, in relation to aid for, or marines. Doc. No. 2.

MILLER FUND.

A communication from the Governor of Virginia, transmitting the report of the second auditor on the condition of the, Doc. No. 6.

PARDONS.

A communication from the Governor of Virginia, transmitting a list of, &c., Doc. No. 8.

PENITENTIARY FIRE.

Communication from the Governor of Virginia, in relation to the, and inclosing opinion of the attorney-general as to legal construction of the contract with Jos. Davis Shoe Company, &c., Doc. No. 7.

RETURNS.

Abstract of the, of clerks of courts to the clerk of the House of Delegates, Doc. No. 1.

SOUTH ATLANTIC AND OHIO RAILROAD COMPANY.

Communication from the Superintendent of the penitentiary, in relation to the, &c., Doc. No. 5.

SUPERINTENDENT OF PENITENTIARY.

Communication from the, in relation to the number of males and females, under the age of eighteen, in the Penitentiary, Doc. No. 4.

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